



Shared Parental Leave

Process

Notification requirements

Employees must submit notifications ('Notice of Entitlement' detailing information about the birth parent/main adopter's partner and intended leave periods amongst other information) and declarations (Declaration of Entitlement to Shared Parental Leave form) at least 8 weeks before entering the scheme.

The mother has to bring her maternity leave to an end by serving a leave curtailment notice (or, in some instances, a pay curtailment notice if the woman is not entitled to maternity leave. Even though in this instance she would not meet the requirements for shared parental leave, the other parent might). An adopter must bring adoption leave to an end by serving a leave curtailment notice.

The College expects that all declarations submitted will be accurate and truthful. Where fraudulent activity is identified following an investigation, this will constitute gross misconduct under the College's Disciplinary Procedure, with the College reserving the right to reclaim any payments received from the College or Government that the employee was not entitled to.

Where both partners are employees of the College, each must submit a separate declaration.

Employees can change or cancel an agreed period of leave provided they notify their manager in writing at least 8 weeks prior to either the new or original start date, whichever falls first). Reasonable consideration will be given to notifications that fall outside this period, though the College is not obliged to accommodate these requests.

Variations and cancellations will usually count as a new notification reducing the employee's right to book/vary leave by one (from three allowable notifications). However, changes as a result of a baby being born early will not count as an additional notification.

Employees are encouraged to notify their line manager as early as possible regarding their intention to take Shared Parental Leave (SPL) so that appropriate arrangements and cover can be put in place in good time.

The College expects that all declarations submitted will be accurate and truthful. Where fraudulent activity is identified following an investigation, this will constitute gross misconduct under the College's Disciplinary Procedure, with the College reserving the right to reclaim any payments received from the College or Government that the employee was not entitled to.

Evidence of eligibility

Within 14 days of receiving a notification to take SPL, the College will request that an employee provides the following information:

- The name and business address of the partner's employer
- In the case of biological parents, a copy of the child's birth certificate (or, where one has not been issued, a declaration as to the time and place of birth)

In the case of an adopted child, details of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption.

The employee must provide this information within 14 days of the request being made.

Booking Shared Parental Leave

Employees may request to take their SPL all in one go, or in discontinuous blocks. However, each period of leave must last no less than a week or the relevant proportion of a week if the employee works part-time. Shared parental leave can begin on any day of the week.

If the initial period of maternity or adoption leave taken by the mother or adopter ends with an incomplete week, the whole of that week will be subtracted from the 52 weeks' maximum and the shared parental leave will begin at the start of the following week of the pay period.

To book a period of leave, employees must complete the 'Request to Book Shared Parental Leave' form and provide this to their manager and HR Operations at least 8 weeks before the first period of leave is due to start. An employee can book more than one period of leave at the same time.

An employee can submit up to a maximum of 3 period of leave notices in total, to book shared parental leave or to vary a previously agreed pattern of leave.

If an employee requests a single **continuous period of leave**, the College will approve the leave for the dates requested. The HR department will confirm the dates of the continuous leave to the employee in writing no later than 14 days after the original booking request was received.

Should an employee request a **discontinuous period of leave** (i.e. take a period of leave, return to work and then take another period of leave), the College has the right to refuse this request. In these circumstances, the manager should request to meet with the employee to discuss the proposed pattern of leave within 14 days of receiving the original request. The meeting will provide an opportunity to discuss the proposed pattern of leave, whether a modified arrangement would be agreeable to the employee and the College.

Once the manager and employee have discussed the request, the manager must notify the employee of the decision in writing. Notification must take place within 14 days of receiving the original leave request. The manager may agree to the employee's request in full or in part, propose alternative dates for the period of leave, or refuse the request and require the leave to be taken in a single block.

Employees can request to **vary an arranged period of shared parental leave** by giving at least 8 weeks' notice to their manager and the HR department. The request should be made in writing

using the 'Request to Vary or Cancel Shared Parental Leave' form. The variation can be to change the start or end date of the leave, to vary the amount of leave, amend a request from a period of discontinuous to continuous leave or vice versa, or to cancel a period of leave. Any variation or notification of cancellation made by the employee will usually count as having used one of the employee's three notices to book or vary leave. However, a change as a result of a child being born early or as a result of the College requesting a change (and the employee is agreeable to this), will not count as one of the employee's three notices to book or vary leave.

Contact during Shared Parental Leave

Managers and staff on SPL should maintain reasonable contact to ensure the employee is kept up-to-date with developments at work and discuss arrangements for their return to work.

Shared Parental Leave in Touch (SPLiT) Days

Employees can work up to 20 Shared Parental Leave Keep in Touch days with prior line management agreement. These are normally days the employee will attend their place of work. They can be used singly, consecutively or in blocks. Any amount of work on one of these days will count as one whole SPLiT day. These days of work are in addition to the 10 KIT days that can be worked during a period of maternity leave.

The employee can choose to notify the College of their intention to take SPLiT days when submitting notification of their intention to take SPL, or these can be arranged and agreed whilst on leave.

Annual leave

Throughout SPL, the employee will continue to accrue annual leave, public holiday entitlement and College closure days, which can be taken as agreed with the line manager. It is recommended that the employee adds this entitlement onto the beginning or end of the SPL period/block where possible.

In the event of an individual not returning to work following the period of SPL, they will be paid for any holiday entitlement accrued during such leave. If the employee resigns rather than returning to work following SPL, and, if at that time they have taken more annual leave than they have accrued during the current holiday year, they will be required to repay the equivalent of the excess leave taken to the College.

Pension Arrangements

During the paid period of SPL, a member of either the USS or SAUL is fully covered for pension benefits, based on the pensionable salary they would have been paid had they not been on leave, provided that they continue to make contributions based on the Shared Parental pay they are receiving.

During unpaid SPL, neither the employee nor the College make pension contributions. Their membership of the pension scheme is suspended and the period of unpaid SPL does not count as pensionable service.

Further information on pensions during the period of SPL is available from the Payroll and Pensions Manager, and employees are strongly advised to contact the Payroll and Pensions Office to discuss their pension position.

Returning to Work

Where the total leave an employee has taken (including any combination of maternity leave, adoption leave, paternity leave and shared parental leave) amounts to 26 weeks or less, they will be entitled to return to the same job, on the same terms and conditions, as if they had not been absent. The exception to this is where a redundancy situation has arisen, and the original job no longer exists, in which case the College will follow its usual procedures.

Where the total leave an employee has taken (including any combination of maternity leave, adoption leave, paternity leave and shared parental leave) amounts to more than 26 weeks, they will usually be entitled to return to the same job, on the same terms and conditions, unless a redundancy situation has arisen. However, if there is a reason other than redundancy (such as operational demands or a need for a change in working practices) which makes it not reasonably practicable for an employee to return to the same job, they will be entitled to return to a job suitable to them and appropriate in the circumstances, with terms and conditions which are not less favourable than the original job.

Employees will be given opportunities for consultation at all stages of this process, in discussion with their relevant recognised trade union representative, or work colleague. Suitability for another potentially suitable job will depend on all relevant factors such as its appropriateness to the employee's skills, aptitudes and experience, level of responsibility and available training will all be taken into consideration.

Sabbatical Leave

To help academics returning from a period of maternity, adoption, shared parental or caring leave, the College offers relevant staff the option to take one term of sabbatical leave upon return subject to approval. Further details can be found on the HR website.

Redundancy whilst on Shared Parental Leave

Where an employee's contract is due to end during SPL, the College's Redundancy Policy will be used.

With the employee's agreement, redundancy consultations may start early, i.e. before the SPL begins. This will not affect their statutory or contractual rights, and they will still receive access to redeployment opportunities, if relevant, at the appropriate time.

An employee who receives Occupational Shared Parental Pay is expected to return to work for at least 3 months, or to the end of their contract, whichever date is sooner. Where this is not possible due, for example, to the contract expiring, they will not be required to return to work for the full 3 months and if applicable, Occupational Shared Parental Pay will be paid until the expiry of the contract.

If an employee's contract ends before their entitlement to Shared Parental Pay ceases, they will remain on the College's payroll for the remainder of the period for which they are eligible for Shared

Parental Pay. All of their Shared Parental Pay entitlement will be paid via the College. Their leaving date will be the date on which funding ceased, so contractual benefits such as leave entitlement and redundancy calculations would be based on this date.

Individuals funded from Research Grants

If an employee is paid from a research grant, they or the Principal Investigator will need to inform the funder in addition to Research Finance and HR Operations of their intention to take leave and the planned dates. Funder's rules vary in relation to suspension of grants, extension and payment during such leave, so contact must be made in sufficient time to allow for the appropriate actions to be taken. Where individuals are working on their own fellowships, they will need to notify their funder directly in accordance with the terms of the award.

In the event that a grant is suspended, funding for maternity leave will need to be paid by an individual's employing Department.