



Shared parental leave

1 What this policy covers

Shared parental leave enables eligible parents to choose how to share the care of their child during the first year of life or adoption.

All eligible employees have a statutory right to take Shared Parental Leave (SPL). There may also be an entitlement to some Shared Parental Pay (ShPP).

This policy provides an overview of your statutory rights and explains the notification process and what your statutory ShPP entitlements are.

2 Principles

- While GHC recognises its statutory responsibilities and supports the principle of SPL, decisions in respect of when the leave is taken will need to take account of service demands.
- Leave granted in respect of this policy must be used for caring for your child. Use for any other purpose and fraudulent claims could result in disciplinary and criminal action being taken against you.

3 Responsibilities

- GHC aims to ensure that applications for SPL are treated appropriately in accordance with this policy and in a way that does not discriminate.
- Managers are responsible for actioning requests for SPL in accordance with this policy.
- Employees wishing to take SPL should comply with the procedures and timescales outlined in this policy.
- Human Resources can advise managers and employees about the various GHC policies.

4 Policy in practice

4.1 Eligibility for SPL

To qualify for SPL you must:

- share responsibility with the other parent from the day of the child's birth or adoption placement
- be an employee (bank workers are not eligible) and still be an employee when taking SPL.
- (or your partner must) be eligible for maternity pay or leave, adoption pay or leave or Maternity Allowance
- have worked continuously for the same employer for at least 26 weeks by the end of the fifteenth week before the due date or by the date you are matched with your adopted child.

You must remain employed by GHC while you take SPL. During the 66 weeks before the week the baby's due date (or the week you are matched with your adopted child) the person with whom you wish to take your SPL with must:

- have been working for at least 26 weeks (they do not need to be continuous) and do not necessarily need to be working at the date of birth/adoption or when you start SPL or ShPP



“An employee taking maternity leave cannot return to work before the end of the compulsory two weeks of maternity leave following the birth. If you are adopting, the person claiming adoption pay must take at least two weeks of adoption leave”

- have earned at least £390* in total in 13 of the 66 weeks (add up the highest paying weeks, they don't need to be in a row).

* Please note that this is the 2023 rate and this may change.

Notifying GHC

If you are entitled and intend to take SPL, you must notify your line manager of your entitlement and intention to take to SPL at least eight weeks before your intended leave by using the Shared Parental Leave Notification form.

Requesting further evidence of eligibility

Within 14 days of the SPL entitlement notification being given, you must give your manager:

- the name and business address of your partner's employer (if the employee's partner is no longer employed or is self-employed their contact details must be given instead)
- in the case of biological parents, a copy of the child's birth certificate (or where one has not been issued, a declaration of the time and place of birth)
- in cases of adoption, documentary evidence of the name and address 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.

To take SPL, the employee must produce this information within 14 days of the employer's request.

4.2 Booking and taking SPL

You can only start SPL or receive ShPP once the child has been born or placed for adoption. The mother (or the person getting adoption leave or pay) must do one of the following:

- end any maternity or adoption leave by returning to work with her employer

- give the employer at least eight weeks “binding notice” (ie a decision that can't normally be changed) of the date when they plan to end any maternity or adoption leave
- end any maternity pay, Maternity Allowance or adoption pay.

The parent or adopter must give at least eight weeks' notice to the employer (for maternity or adoption pay) or to Jobcentre Plus (for Maternity Allowance) if they have not returned to work.

You can start SPL or ShPP while your partner is still on maternity or adoption leave and pay as long as they have given binding notice to end it.

Two weeks compulsory maternity/adoption leave must be taken before SPL can start. SPL must be taken within one year of the birth of the child or the date the child was placed with the family in cases of adoption.

The maximum amount of SPL potentially available is 50 weeks. The actual number of weeks of SPL available is calculated based on the amount of maternity or adoption leave taken.

Booking blocks of leave

You can book up to three separate blocks of SPL (“discontinuous leave”) instead of taking it all in one go (“continuous leave”), even if you are not sharing the leave with your partner.

If your partner is also eligible for SPL, you can take up to three blocks of leave each. You can take leave at different times or both at the same time.

Example one

An employee and their partner are both eligible for SPL. The employee goes on maternity leave two weeks before their baby is born. They give notice to their employer that they will take 16 weeks of maternity leave.

Since they have given binding notice, their partner can start SPL as soon as the baby has been born (as long as their partner has given at least eight weeks' notice to their employer).



You must tell your employer about your plans for leave when you apply for SPL. You can change these plans later, but you must give your employer at least eight weeks' notice before you want to begin a block of leave.

Splitting blocks of leave

If your employer agrees, you can split blocks into shorter periods of at least a week.

Cancelling decisions to end maternity or adoption leave

Changes to end maternity or adoption leave can be made if:

- the planned end date has not passed and
- they have not already returned to work.

One of the following must also apply:

- you find out during the eight-week notice period that neither of you is eligible for SPL or ShPP, thereby necessitating an earlier return to work
- the mother/parent or adopter's partner has died
- the mother/parent tells her employer less than six weeks after the birth (and she gave notice that she was going to return before the birth).

Discussions regarding SPL

If you are considering or taking SPL, you should contact your line manager to arrange an informal discussion as early as possible regarding your potential entitlement and to discuss your plans.

Upon receiving a notification of entitlement to take SPL where the leave is to be continuous, your line manager

may wish to meet with you to discuss the detailed arrangements. However, the leave will be agreed, because it is a statutory entitlement and the SPL dates will be confirmed to you in writing within 14 days of notification.

Where the request is for discontinuous leave, if this can be agreed without further discussion, a meeting may not be necessary and the SPL dates will be confirmed to you in writing within 14 days of notification. However, in some circumstances it may be necessary for a meeting to be held with your line manager to discuss how the leave proposal could be mutually agreed.

All requests for discontinuous leave will be carefully considered case by case, weighing up the potential benefits to you and GHC against any adverse impact to service delivery. Agreeing to one request will not set a precedent.

If the original proposal for discontinuous leave or other options cannot be agreed, this will be confirmed in writing within 14 days after which you can request to take continuous leave.

Variations to arranged SPL

Each variation or cancellation notification made by you, including notice to return to work early, will usually count as a new notification and be counted against the three notifications to which you are entitled. However, a change as a result of a child being born early, or as a result of GHC requesting it be changed and you agreeing, will not count as further notification and therefore will not affect your overall entitlement of three. GHC will confirm any variation in writing.

4.3 Statutory ShPP

You will receive ShPP if you are an employee and one of the following applies:

- you are eligible for Statutory Maternity Pay (SMP) or Statutory Adoption Pay (SAP)
- you are eligible for Statutory Paternity Pay (SPP) and your partner is eligible for SMP, Maternity Allowance (MA) or SAP.

If you are eligible and you or your partner end maternity or adoption leave and pay (or MA) early, you can't take the rest of the 52 weeks of maternity or adoption leave as SPL.

Example two

An employee finishes their maternity leave at the end of October and takes the rest of their leave as SPL. They share it with their partner, who is also eligible. They each take the whole of November as their first blocks of SPL. The partner then returns to work.

The employee also returns to work in December. They give their employer notice that they'll go on leave again in February – this is their second block of SPL. Their employer agrees to a two-weeks-on, two-weeks-off, work pattern during the block.

You should take the rest of the 39 weeks of maternity or adoption pay (or MA) as Statutory ShPP.

How much pay you will get

ShPP is £156.66 a week or 90 per cent of your average weekly earnings, whichever is lower (please note that this is the 2022/23 rate and may change). This is the same as the lower rate of SMP.

5 Terms and conditions during SPL

During the period of SPL, your contract of employment continues without change and you are entitled to receive all your contractual benefits, except for salary.

Pension contributions will continue to be made during any period when you are receiving ShPP, but not during any period of unpaid SPL. Your employee contributions will be based on actual pay, while GHC's contributions will be based on the salary that you would have received had you not been taking SPL.

5.1 Annual leave

SPL is granted in addition to your normal annual holiday entitlement. You are reminded that holiday should wherever possible be taken in the year that it is earned. Where an SPL period overlaps two leave years, you should agree with your manager how best you can take all of your annual leave entitlement.

5.2 Contact during SPL

Before your SPL begins, your manager will discuss arrangements for you to keep in touch during your leave. GHC reserves the right to maintain reasonable contact with you from time to time during your SPL. This may be to discuss your plans to return to work, ensure you are aware of any possible promotion opportunities, talk about any special arrangements to be made or training to be given to ease your return to work or simply to update you on developments at work during your absence.

5.3 SPL In Touch days

You can agree to work at GHC (or attend training) for up to 20 days during SPL without bringing your period of SPL to an end or impacting on your right to claim ShPP for that week. These are known as "SPL 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.

Example three

An employee decides to start their maternity leave four weeks before the due date and gives notice that they'll start SPL 10 weeks after the birth (taking a total of 14 weeks' maternity leave). They normally earn £200 a week.

They are paid £180 (90 per cent of their average weekly earnings) as SMP for the first six weeks of maternity leave, then £139.58 a week for the next eight weeks. Once they go onto SPL, they're still paid £139.58 a week.

Any SPLIT days worked is a matter for agreement between you and GHC. If you undertake a SPLIT day, you will receive full pay for any day worked. If a SPLIT day occurs during a week when you are receiving ShPP, this will be effectively "topped up" so that you receive full pay for the day in question. Any SPLIT days worked do not extend the period of SPL.

SPLIT days can only be taken during SPL, they cannot be taken during a period of annual leave.

5.4 Returning to work after SPL

You will have been formally advised in writing by GHC of the end date of any period of SPL. You are expected to return on the next working day after this date, unless you notify GHC otherwise. If you are unable to attend work because of sickness or injury, normal arrangements for sickness absence will apply.

On returning to work after SPL, you are entitled to return to the same role and terms and conditions if your aggregate total statutory maternity/paternity/adoption leave and SPL amounts to 26 weeks or less. The same role is the one you performed immediately before commencing maternity/paternity/adoption leave and the most recent period of SPL.

On returning from SPL you are entitled to return to the same or similar role on no less favourable terms of employment.