

Guidance for Employees: Shared Parental Leave

1.0 Overview

The Shared Parental Leave (SPL) regulations provide an opportunity for parents to take advantage of additional flexibility in the way they choose to care for a new arrival to the family. If they choose to do so, an eligible mother or adopter can end their maternity/adoption leave early and, with their partner or the child's father, opt for SPL instead. The maximum amount of leave available to a mother or adopter and their partner/the child's father is 50 weeks. An employed mother is required to be off work on maternity leave for at least the first 2 weeks after giving birth.

1.1 Shared Parental Leave Entitlement

To be entitled to Shared Parental Leave (SPL) you must be:

- the mother/adopter
- or
 - 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 they must satisfy the following criteria:

- The qualifying test for the employee
Continuity of employment test: To be entitled to Shared Parental Leave the employee must have worked for the University of Aberdeen for at least 26 weeks at the end of the 15th week before the week in which the child is due (or at the week in which an adopter was notified of having been matched with a child or adoption) and is still employed in the first week that SPL is to be taken.
- The qualifying test for the other parent
Employment and earnings test: The person must have worked (been employed or self-employed) for at least 26 weeks in the 66 weeks leading up to the due date and have earned above the maternity allowance threshold of £30 week in 13 of the 66 weeks.

If you are entitled and intending to take SPL you must give your line manager notification of your entitlement and intention to take to SPL, at least eight weeks before you take any period of SPL using the appropriate [Shared Parental Leave form](#).

1.2 Shared Parental Pay Entitlement

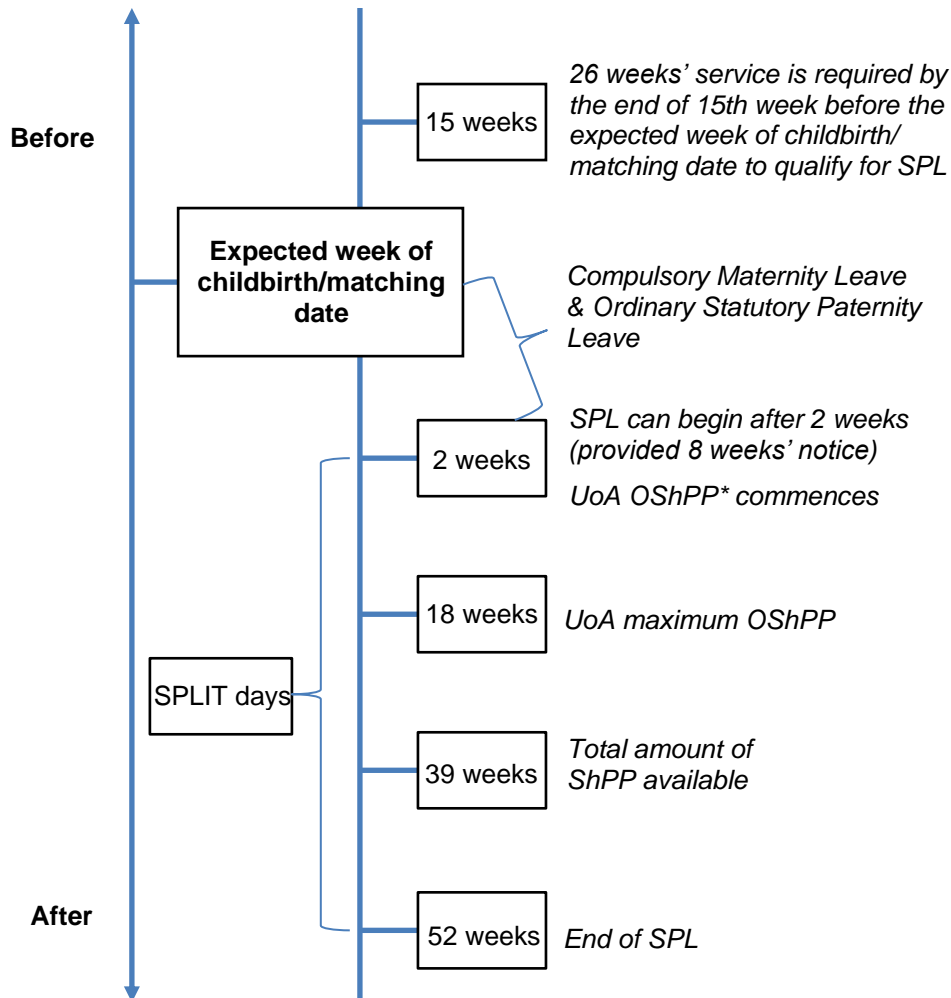
Eligible employees may be entitled to up to 37 weeks Shared Parental Pay (ShPP) while taking SPL. You may also be entitled to take 13 weeks of unpaid Shared Parental Leave following on from your 37 week period of paid SPL.

The University provides several options in relation to Shared Parental Pay. The entitlement is based on:

- Your earnings during a specific period before the shared parental leave
- Your length of service with the University of Aberdeen
- Whether or not you intend to return to work following your period of Shared Parental Leave

You must give your line manager at least eight weeks' written notice advising of your entitlement to ShPP using the appropriate [Shared Parental Leave form](#). For full details please refer to the [Shared Parental Leave Policy](#).

2.0 Shared Parental Leave Key Timings



1 week: Minimum period of shared parental leave

15 days: Time limit to withdraw a leave request

20 days: Number of Shared Parental in Touch or "SPLIT" days available to work during SPL

8 weeks: Notice period required to inform line manager of entitlement and intention to take SPL by completing the appropriate [Shared Parental Leave form](#).

8 weeks: The mother or main adopter must give at least eight weeks' notice of their curtailment date ending maternity/adoption leave and commencing SPL using the appropriate [Shared Parental Leave form](#).

52 weeks: Length of service required at UoA to receive *Occupational Shared Parental Pay (OShPP)

3.0 Frequently Asked Questions

Q. Who is eligible for shared parental leave?

- A. *Parents who share the main responsibility for caring for their child are able to opt into the shared parental leave system. Only employees are entitled to Shared Parental Leave. Agency workers, self-employed parents, or parents who are not employed, are not entitled to Shared Parental Leave.*

Q. What are the eligibility requirements that the parents have to meet to qualify for shared parental leave?

- A.
- *Both parents must share the main responsibility for the care of the child at the time of the birth/placement for adoption.*
 - *The employee must meet a “continuity of employment test” which is similar to the test for statutory maternity pay and statutory paternity pay.*
 - *The other parent must pass the “employment and earnings test”.*

For further information see Section 3 of the [Shared Parental Leave Policy](#).

Q. How much shared parental leave is available?

- A. *The maximum amount of leave available to a mother and her partner/the child’s father is 50 weeks. An employed mother is required to be off work on maternity leave for at least the first 2 weeks after giving birth. To calculate the actual amount of shared parental leave available, any weeks of maternity leave taken must be deducted from the full entitlement of 52 weeks.*

Q. How do I request Shared Parental Leave?

- A. *If you are entitled and intending to take SPL you must notify your line manager at least eight weeks before you take any period of SPL using the [Shared Parental Leave form](#).*

Q. Does Shared Parental Leave have to be taken in one block?

- A. *No, you can make a request for a pattern of discontinuous leave (e.g. 2 weeks in June, 3 weeks in September and all of November and December) in the same notification. You are entitled to submit 3 leave requests.*

Q. Can my request for shared parental leave be refused?

- A. *A request for a continuous block of leave cannot be refused as you are entitled to take it. However, the University doesn’t have to agree to a pattern of discontinuous leave and there will be a 2 week discussion period to talk to you about the pattern that you have requested and the propose alternatives, or to refuse the pattern.*

Q. Can I request a change to my Shared Parental Leave?

- A. *Yes, provided that you don’t exceed the cap of 3 notifications, which include notifying changes to agreed periods or patterns of shared parental leave. The process for giving a variation notice, changing leave patterns or agreeing new patterns, will be the same as the initial process for booking leave.*

Q. How do I find out the type of Shared Parental Pay I am entitled to?

- A. Refer to Section 4 of the [Shared Parental Leave Policy](#) to check if you are entitled to receive Aberdeen University's Occupational Shared Parental Pay (OShPP). Please contact your HR Partner for guidance on the pay arrangements and documentation you must complete.

Q. What does "curtailment of maternity leave" or "curtailment of adoption leave" mean?

- A. "Curtailment of maternity leave" or "curtailment of adoption leave" means bringing forward the date on which the mother or adopter's leave period ends before the whole entitlement of 52 weeks of maternity or adoption leave is taken.

Q. How does a mother curtail her maternity leave?

- A. A mother or adopter will be able to end their maternity or adoption leave before the end of their 52 week entitlement by giving their employer 8 weeks' notice of their planned return to work using the [Shared Parental Leave form](#). Once she has returned to work, the mother's maternity leave will end and cannot be re-started. The same applies to adoption leave.

Q. Can employees on shared parental leave take keeping-in-touch days?

- A. You are able to work (including attending training or conferences) for up to 20 days during SPL without bringing your period of SPL or ShPP to an end. These are known as "Shared Parental Leave in Touch" or "SPLIT" days. If you wish to utilise "SPLIT" days, you should contact your Line Manager in the first instance. For further information please refer to Section 8 of the Shared Parental Leave Policy.

4.0 Contact Details – HR Partners

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5.0 Further Information

Comprehensive information about Shared Parental Leave can be accessed via the following links:

- [ACAS good practice guidance](#)
- [Government Technical Guidance](#)
- [Shared Parental Leave and pay calculator](#)

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