



### Policy Statement

This policy sets out **Little Elm's** shared parental leave and pay policy and summarises the key statutory shared parental rights. This policy aims to support working parents, enabling them to balance family responsibilities with personal career aspirations.

The summary of your statutory rights is not intended to be a complete or definitive statement of the law. If you have any questions or need further information, please speak to your Nursery Manager or HR Manager.

### Scope

The shared parental leave and pay policy applies to all employees of Little Elms who would like to share parental leave in the year after the birth or adoption of a child. Employees must meet the qualifying requirements as detailed below.

If you are pregnant, please refer to the Maternity policy.

If you are a father of a child(ren) or the partner of a primary adopter, please refer to the Paternity policy.

If you are adopting a child(ren), please refer to the Adoption policy.

### Shared Parental Leave (SPL) and Shared Parental Pay (ShPP)

Many parents will be able to share parental leave in the first year after their child is born or placed with them in the case of adoption. Shared Parental leave enables parents to take leave in a more flexible way by stopping and starting their shared parental leave, taking their leave at the same time, and returning to work between periods of leave. Eligible parents can be off work together for up to 6 months or alternatively stagger their leave and pay so that one of them is always at home with their baby in the first year.

To be eligible to receive SPL and ShPP, you must:

- be an employee and still be in employment the week before you take the shared parental leave
- have at least 26 weeks continuous service at the end of the 15th week before the expected week of birth of a child (this applies to birth parents)
- have at least 26 weeks continuous service at the end of the week they are notified of having been matched with a child for adoption (this applies to adoptive parents)
- share the main responsibility for the care of the child
- your partner must meet an 'employment and earnings' test (in the 66 weeks leading up to the baby's expected due date/matching date, your partner must have worked for at least 26 weeks and earned an average of at least £30 a week in any 13 weeks)
- give your employer at least 8 weeks' written notice of your leave dates

You're not eligible if you started sharing responsibility for the child after it was born or adopted. Your Manager will be able to liaise with Payroll and Human Resources to advise you of whether you qualify to receive SPL and SHPP.

If you are eligible, you can share the rest of the maternity or adoption leave as Shared Parental Leave (SPL) and share the rest of the maternity or adoption pay as Statutory Shared Parental Pay (ShPP).

If the mother/primary adopter and their partner agree, the mother/primary adopter can curtail their current maternity/adoption leave and 'convert' what remains of the leave period into shared parental leave (SPL). The mother/primary adopter must do this by giving at least eight weeks' formal notice to their employer. At the same time, their partner must also give their respective employers an indication of how they intend to take the shared parental leave and pay.

A mother cannot return to work before the end of the compulsory 2 weeks of maternity leave following the birth of her child. If you are adoptive parents, the person claiming adoption pay must take at least 2 weeks of adoption leave. Therefore, the maximum period of maternity/adoption leave that can be converted to SPL is 50 weeks. The maximum period of maternity/adoption pay that can be converted to ShPP is 37 weeks.

Once notice to curtail maternity/adoption leave has been given, it can only be withdrawn in very limited circumstances.

### **Applying for leave and pay**

To get Shared Parental Leave (SPL) or Shared Parental Pay (ShPP) the mother or primary adopter must either:

- return to work, which ends any maternity/adoption leave and pay, or
- give their employer 'binding notice' of the date when they plan to end their maternity/adoption leave and pay (you cannot normally change the date you give in binding notice)

You cannot restart maternity pay or adoption pay once it's ended. You can start ShPP while your partner is still on maternity pay or adoption pay, as long as they've given binding notice to end it.

Specific detail regarding how to apply and eligibility and for and ShPP can be found at <https://www.gov.uk/shared-parental-leave-and-pay>. Your Manager, Payroll and Human Resources can support you with the process.

### **Shared Parental Leave in touch (SPLIT) days**

You and your partner can each work up to 20 days while you're taking SPL. These are called 'Shared Parental Leave in touch' (or SPLIT) days. These days are in addition to the 10 'keeping in touch' (or KIT) days available to those on maternity or adoption leave.

We would like to keep in touch with you during your shared parental leave to hear how you and your child are doing, but also to keep you updated about developments at work.

While you are on SPL, there may be occasions when you would like to come to work, for example, to undertake training, to update yourself on a particular aspect of your role, to attend a team meeting or event. Little Elms are happy to support people who arrange SPLIT days but there will be no pressure to do so. If you do wish to come in, we will need to agree the days on which you will attend, and you will be paid the equivalent of your normal daily rate of pay for these days.

### **Terms and Conditions on Shared Parental Leave and Upon your Return**

If your combined total of maternity/adoption/paternity and SPL does not exceed 26 weeks, you have the right to return to the job in which you were employed before you went on leave, on terms and conditions no less favourable than those which would have applied if you had been at work.

If your combined total of maternity/adoption/paternity and SPL exceeds 26 weeks, you have the right to return to the job in which you were employed before you went on leave or, if that is not possible, to a similar job which has the same or better terms and conditions than you had before your leave.

You do not have the right to return to work into a role with less hours than you were employed to so before your maternity leave. You do have the right to make a Flexible Working Application and Little Elms will, wherever possible and if business needs can be met, accommodate your request for flexibility in your working pattern.

You will continue to receive contractual benefits during SPL leave such as holiday entitlement. For as long as you are receiving ShPP, pension contributions will continue to be made.



*Associated Documents:*

- *Maternity Policy*
- *Paternity Policy*
- *Adoption Policy*
- *Leave Arrangements Policy (containing Parental Leave information)*
- *Flexible Working Policy*