



Shared Parental Leave Policy

Introduction

The University is committed to helping colleagues balance their family and work commitments. We also recognise that caring responsibilities can be shared in different ways throughout a child’s early life.

Shared Parental Leave enables parents and carers to make choices about how they balance work and caring responsibilities during the first year after a child’s birth or placement, and we support colleagues in making arrangements that work best for their individual circumstances.

Where reference to legislation is required, we use statutory language such as Maternity, Paternity, and Shared Parental Leave to ensure colleagues can access relevant government resources and entitlements. However, we recognise that families come in many forms, including single-parent households, same-sex couples, adoptive families, and those formed through surrogacy or kinship care. To reflect this, we use inclusive language such as parent, birthing parent, non-birthing parent, and primary carer throughout our policies. This approach ensures that all colleagues, regardless of gender identity, sexual orientation, or family structure, feel seen, supported, and valued in making decisions about shared care.

Table of Contents

- Introduction..... 1
- 1. Purpose..... 2
- 2. Scope 2
- 3. Leave 2
- 4. Pay 3
- 5. Notifying the University 4
- 6. Requesting and Booking Leave 4
- 7. Terms and Conditions 5
- 8. Shared Parental Leave in Touch Days 5
- 9. Returning to Work..... 5
- 10. Other relevant policies 5



11. Forms.....	6
12. Definitions	6
Appendix – Shared Parental Leave Flowchart	6
Document detail.....	9

1. Purpose

This policy explains the leave and pay available to you when taking Shared Parental Leave.

2. Scope

This policy applies to all colleagues of the University who wish to share leave and pay with their partner to care for their child in the first year following their birth or placement for adoption. It also applies to colleagues who are the intended parents in a surrogacy arrangement.

The policy explains what you need to do as a partner wanting to share leave with the mother or primary parent of your child.

3. Leave

3.1. Eligibility

You are eligible to take shared parental leave if:

- You share responsibility with your partner for the care of your child at the time of their birth or placement
- You are employed by the University at the start of each period of leave
- You have a minimum of 26 weeks’ service at the end of the 15th week before the child’s expected due date or at the end of the week in which the adopter was notified that they had been matched with a child for adoption (matching date)
- Your partner is employed in Great Britain and meeting the UK statutory employment and earnings test, meaning they have worked for 26 weeks in the 66 weeks before your child’s due date or placement date, and they have earned an average of at least £30 per week in any 13 of those 66 weeks
- Your partner curtails their entitlement to UK maternity/adoption leave and pay



3.2. Entitlement

You and your partner can share up to 52 weeks' leave. However, mothers and primary adopters must take a minimum of two weeks' maternity leave or adoption leave following the birth or placement of their child. The remaining 50 weeks can be shared.

SPL will generally commence on the colleague's chosen start date.

As a partner, two weeks' Paternity leave and pay can be taken before or after periods of SPL. You must ensure that there is no cross over in the dates requested for each period of leave. You and your partner can take SPL at the same time or different times. You can start your SPL while the mother or lead adopter is still on maternity or adoption leave, so long as they have given notice to curtail their leave to allow you to share the leave.

If the mother/adopter is not entitled to maternity/adoption leave but is entitled to Statutory Maternity Pay (SMP), Statutory Adoption Pay (SAP) or Maternity Allowance (MA), they must reduce their entitlement to less than the 39 weeks. If they do this, their partner may be entitled to up to 50 weeks of SPL.

SPL must be taken before the first anniversary or your child's birth or placement.

4. Pay

4.1. University Shared Parental Pay

If you have at least one year's continuous service by the 15th week before the child is due or by the matching date, you may be entitled to receive University shared parental pay depending on the timing of your leave. This will be:

- Up to 18 weeks' leave at full pay (if taken within 18 weeks of the commencement of maternity or adoption leave)
- Up to a further 21 weeks' paid leave at the statutory flat rate, or 90% of average weekly earnings whichever is the lesser
- Any further period of leave, up to a maximum period of a further 13 weeks will be unpaid

Payment of University shared parental pay is conditional upon the colleague returning to work for a minimum period of three months. Any pay awards which take effect during the period of shared parental leave will be applied as normal.

4.2. Statutory Shared Parental Pay

To qualify for ShPP you must:

- Have 26 weeks' continuous service by the 15th week before the child is due or by the matching date
- Have earned above the lower earnings limit for national insurance contributions in the 8 weeks prior to the qualifying or matching week
- Your partner must have statutory maternity or adoption pay left to share with you

ShPP will be:

- Up to 37 weeks paid at the statutory flat rate, or 90% of your average weekly earnings (whichever is the lesser)
- Any further period of leave, up to a maximum period of a further 13 weeks will be unpaid

5. Notifying the University

Following a discussion with your manager, to confirm your entitlement and to notify the University, you should submit the relevant form to The People Team (peopleoperations@napier.ac.uk) with an indication of how much leave and pay you intend to take, and when. We will not usually ask for evidence of entitlement, however if required, you should provide this within 14 days to The People Team. If your entitlement to leave or pay changes at any point, you must let The People Team know.

6. Requesting and Booking Leave

In addition to notifying the University of their entitlements to leave and pay, you need to give notice to take the leave.

You can submit three notifications for continuous or discontinuous leave.

- Continuous leave: a single period of weeks of leave
- Discontinuous leave: where you intend to return to work between periods of leave

Leave must be taken in blocks of at least one week but may begin on any day of the week.

6.1. Continuous Leave Requests

Continuous leave requests should be sent to the People Team and will automatically be granted. The People Team will send you and your manager written confirmation of the dates and what you will be paid during SPL.



6.2. Discontinuous Leave Requests

Discontinuous leave requests should be discussed with and agreed by your manager, prior to being submitted to The People Team. If approved, you will receive written confirmation of the dates and payment arrangements.

7. Terms and Conditions

All of your terms and conditions of employment remain in place during your SPL, except those which relate to pay.

You will continue to accrue contractual annual leave whilst you are on SPL.

Information concerning pension scheme contributions during SPL is available from the relevant pension website. See the pensions intranet page for more information.

8. Shared Parental Leave in Touch Days

You can take up to 20 contact days, known as 'Shared Parental Leave in Touch' (SPLIT) days during your leave without bringing your leave or pay to an end. You are not obliged to agree to any SPLIT days; in the same way the University is not obliged to agree to any requests you make. SPLIT days are used at mutually agreeable times. You and your manager should agree the date and hours of any SPLIT day. Any work carried out on a SPLIT day, or part of a day shall constitute a day's work for these purposes.

9. Returning to Work

You will return to work on the next working day following the end of your SPL, unless you notify the University otherwise.

If you decide not to return to work, you must give notice of your resignation in accordance with the terms of your contract of employment. You would be required to pay back any University Shared Parental Pay less any statutory pay received.

10. Other relevant policies

- Adoption Policy
- Flexible Working Policy
- Maternity Policy
- Paternity Policy
- Unpaid Parental Leave Policy



11. Forms

- Shared Parental Leave form for adoption
- Shared Parental Leave form for maternity
- Shared Parental Leave form for parental order parents

12. Definitions

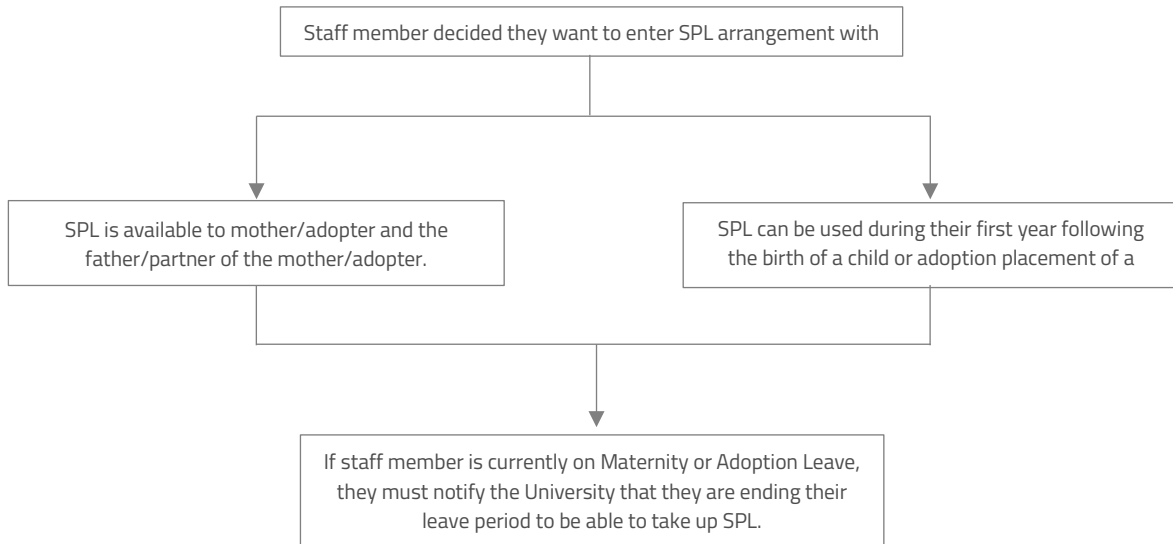
SPL: Shared Parental Leave

ShPP: Statutory Shared Paternity Pay

SPLIT Day: Shared Parental Leave in Touch Day.

Qualifying Week: The fifteenth week before the EWC or the week in which the adopter is notified as having been matched with a child for adoption.

Appendix – Shared Parental Leave Flowchart



Leave

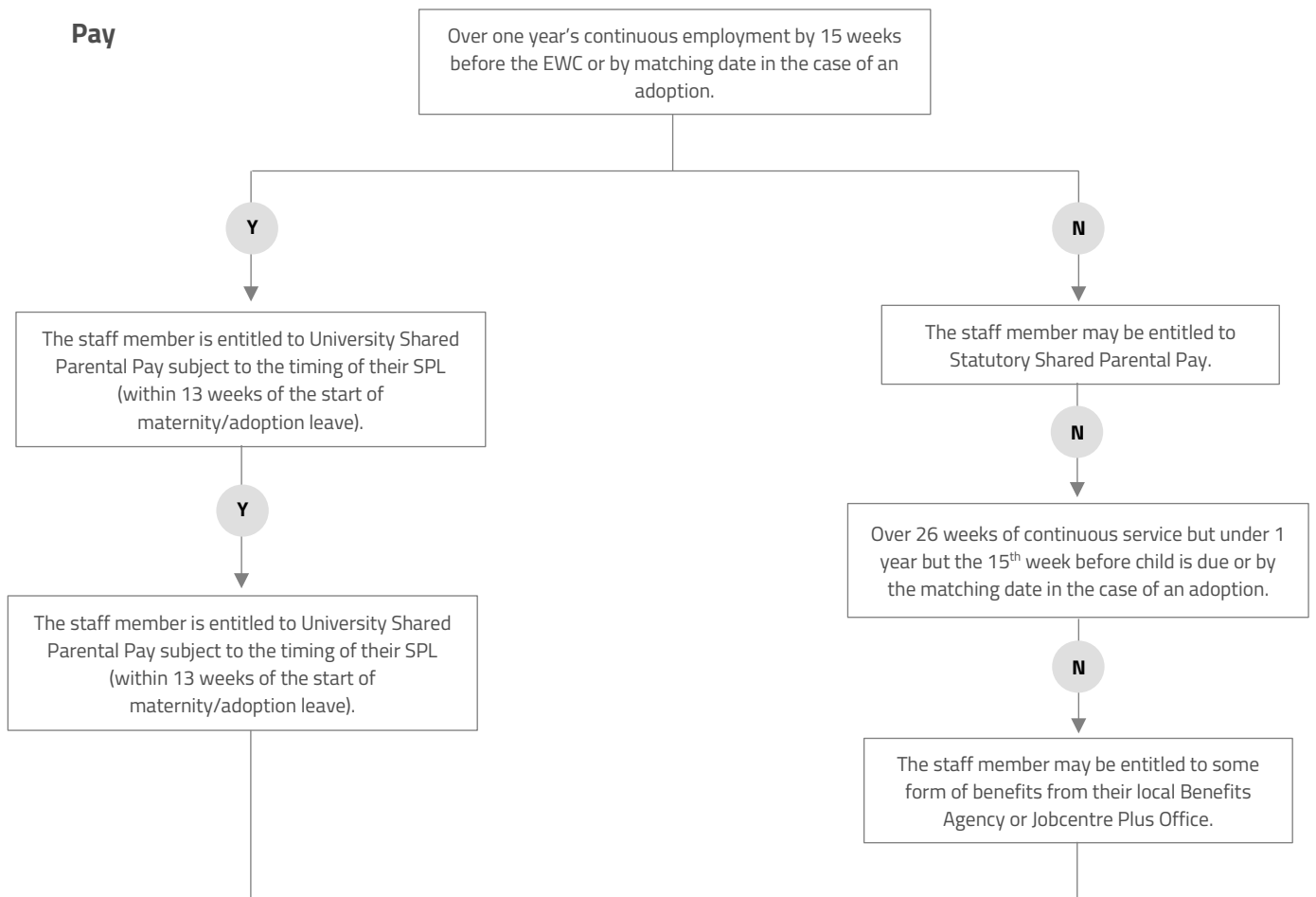
Length of SPL does not depend on length of service. Employees are entitled to up to 50 weeks of SPL. Length of leave is dependent on the period of leave already taken either through maternity leave adoption leave. The staff member can request to take either continuous leave or discontinuous leave or both. Under the SPL scheme, both the mother/adopter and father/partner can be off at the same time.

SPL can be taken:

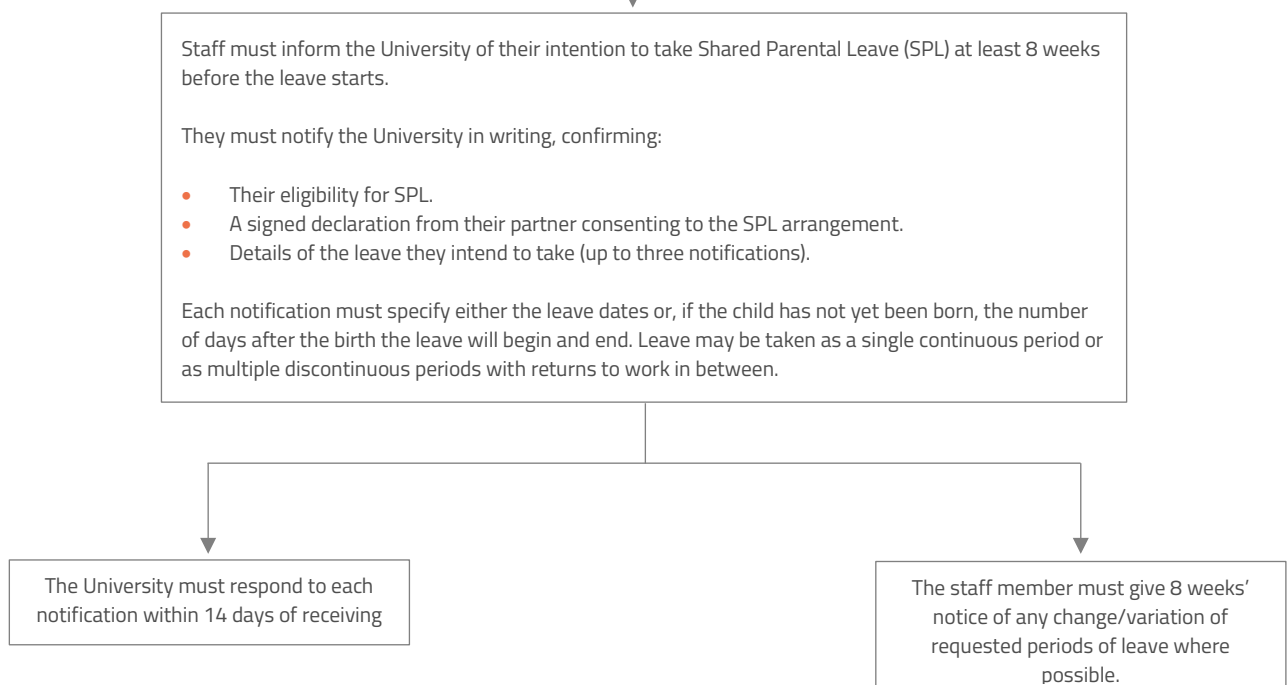
- Immediately after the compulsory maternity/adoption leave period (2 weeks).
- The father/partner can take SPL immediately after the birth/ placement of the child unless they choose to exhaust paternity leave first.



Pay



Notification





During SPL

The staff member continues to benefit from all terms and conditions during SPL except pay.

The staff member may work up to twenty SPLIT Days during SPL by mutual agreement without affecting their entitlement to Shared Parental Pay.

Returning to Work

The staff must give eight weeks' notice if they intend to return to work prior to the agreed return date.

The staff member will normally return to the same job after SPL as they had not been away, unless this is not reasonably practical.

In this situation, the staff member should be offered a similar job on pay, status, and terms and conditions

If Not Returning to Work

If the staff member does not intend to return to work following their SPL, they must give their notice in writing as required by their contract of employment. The staff member will be required to pay back any University Shared Parental Pay over and above the Statutory pay provisions which they may have received during their SPL period.



Document detail

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