

Shared Parental Leave Policy and Procedure

Contents

1	Introduction.....	1
2	Aims.....	1
3	Scope.....	1
4	The Public Sector Equality Duty.....	1
5	Terms and abbreviations	2
6	Shared Parental Leave and Enhanced Shared Parental Pay – An overview.....	2
7	Eligibility for shared parental leave.....	3
	7.4. Birth parent/main adopter is a UoG employee.....	4
	7.5. Partner is a UoG employee.....	4
	7.6. Both parents are UoG employees.....	4
8	Employees not eligible for Shared Parental Leave.....	5
9	Enhanced Shared Parental Pay (EShPP).....	5
	9.5. Example shared parental leave scenarios.....	6
10	Ending maternity or adoption leave to create SPL and EShPP.....	8
11	Giving ‘binding’ notice.....	8
12	Withdrawing ‘binding’ notice.....	9
13	Booking shared parental leave.....	9
14	Changing booked leave.....	11
15	Pregnancy loss and stillbirth.....	11
16	Shared Parental Leave Keeping in Touch (SPLIT) days.....	12
17	Pension Implications.....	12
18	Annual Leave.....	13
19	Sickness.....	13
20	Maintaining Reasonable Contact.....	13
21	Returning to work.....	14
22	Not Returning To Work.....	14
23	Neonatal Care Leave.....	14
24	Neonatal Care Pay	15
25	Other policies, guidance and forms.....	16

1 Introduction

1.1. Shared parental leave provides greater flexibility and choice in how two working parents care for their child following birth or adoption (including a surrogacy arrangement). It allows the birth parent/main adopter to end their maternity or adoption leave and pay early so that one or both parents can take leave in a more flexible way during the baby's first year.

2 Aims

2.1. This policy sets out:

- a) How Shared Parental Leave works and how it can be taken.
- b) [Examples](#) of how Shared Parental Leave can be taken.
- c) Eligibility for Shared Parental Leave and Enhanced Shared Parental Pay (EShPP).
- d) How Shared Parental Leave intersects with maternity, paternity and adoption leave.
- e) The Neonatal Care (Leave and pay) provisions (**employees can advance to this section of the policy [here](#)**).

3 Scope

3.1. This policy and its procedures apply to university employees including those on fixed term contracts, regardless of the employee's or their partner's sexual orientation, gender identity or gender reassignment. This policy does not apply to agency workers or self-employed contractors.

3.2. UK law (Human Fertilisation and Embryology Act 2008 and the Gender Recognition Act 2004) determines that the person who gives birth to a child in England and Wales should be recorded as the child's 'mother' regardless of whether the person's gender identity is male or non-binary and whether or not they have a gender recognition certificate confirming they are legally male. However, the university recognises that whilst the majority of pregnant employees will identify as a woman and female, we acknowledge that employees who identify as a trans man or a non-binary person may also carry a pregnancy and give birth.

3.3. This policy applies to birth parents, adoptive parents and surrogate parents.

3.4. Employees should also refer to the relevant family leave policy i.e. the maternity leave and pay policy, the paternity/partner's leave and pay policy or adoption leave policy.

4 The Public Sector Equality Duty

4.1. The Equality Act (2010) requires public bodies such as the University of Greenwich to consider how their decisions and policies affect people with different protected characteristics (or an intersection of these).

4.2. The university is committed to promoting equality of access and outcome for all, celebrating diversity, and providing an inclusive learning and work environment for all students, staff, and visitors. The university will ensure they pay 'due regard' to the need to:

- a) eliminate discrimination, harassment, and victimisation.
- b) advance equality of opportunity.

- c) foster good relations between people, irrespective of their age, disability, gender re-assignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex and sexual orientation.

4.3. Paying 'due regard' means the university will consciously consider or think about the need to do the above.

5 Terms and abbreviations

- a) **Binding notice** – notice of the intention to end maternity or adoption leave early and start SPL.
- b) **Birth parent/main adopter** – throughout this policy we use the terms birth parent and main adopter. Birth parent is the mother/person who has given birth to the child. The main adopter is the person who is eligible to take adoption leave and pay. For the purpose of this policy main adopter also includes the person who is adopting a child through a surrogacy arrangement.
- c) **EShPP** – Enhanced Shared Parental Pay.
- d) **EWG** - Expected Week of Childbirth.
- e) **Partner** – throughout this policy we use the term partner to describe the partner of the birth parent or secondary adopter (regardless of gender). A partner could be the child's biological father, the spouse or civil partner of the birth parent, or a partner living in an 'enduring relationship' with the birth parent at the date of the birth. An 'enduring relationship' is similar to a marriage or civil partnership which has existed, without breaking down, for a period of at least two years.
- f) **ShPP** – Statutory Shared Parental Pay.
- g) **SPL** – Shared Parental Leave.
- h) **UoG** – University of Greenwich.

6 Shared Parental Leave and Enhanced Shared Parental Pay – An overview

- 6.1. Birth parents/main adopters are entitled to 52 weeks of maternity or adoption leave following the birth/adoption of their baby irrespective of length of service. The birth parent must take the first two weeks as compulsory leave following the birth and the main adopter must take at least two weeks of adoption leave. From this point, if the employee is eligible, they may end their leave (subject to providing the correct notice) and share the remaining leave with their partner. Both parents can share up to 50 weeks of shared parental leave (SPL).
- 6.2. The employee taking SPL must be either the birth parent, main adopter or the partner of the birth parent/main adopter.
- 6.3. The eligibility criteria for SPL can be found under [7. Eligibility for shared parental leave](#)
- 6.4. The minimum amount of SPL the parents can share is one week and the maximum 50 weeks, which must be taken in multiples of complete weeks. A complete week of Shared Parental Leave is defined as Monday to Sunday. For employees who work part time a 'week' of leave means the total number of hours they are normally scheduled to work in a week e.g. if an employee normally works 20 hours per week over three days, then one week of SPL equals 20 hours.
- 6.5. The number of SPL weeks available to share is calculated by deducting the number of week's maternity/adoption leave that the birth parent/main adopter plans to take or has already taken. The remaining leave that has not been taken can be shared between

the two parents in a number of different ways. It is up to the parents to decide how and when they wish to take their leave, for example:

- a) the birth parent/main adopter returns to work early from maternity/adoption leave and takes SPL at a later date.
- b) the birth parent/main adopter returns to work and their partner takes SPL.
- c) both parents take SPL at the same time.
- d) both parents share SPL evenly and are off at different times.
- e) both parents return to work at the same time and take SPL at a later date.

6.6. If the partner taking SPL is eligible for paternity/partner's leave, there is no restriction on when the paternity/partner's leave can be taken providing it is taken within the first 52 weeks following the birth.

6.7. Any SPL must be taken within 52 weeks of the child's birth. Any SPL not taken by the first birthday will be lost.

6.8. The amount of SPL available is the same amount whether the parents have one, or more than one baby e.g. twins, or if there is more than one child in the same adoption placement.

6.9. Employees who are eligible to share 50 weeks of SPL will also be able to share up to 37 weeks of Enhanced Shared Parental Pay (EShPP). The university pay an enhanced rate of pay over and above Statutory Shared Parental Pay (ShPP). This enhanced rate mirrors the university's enhanced rate of maternity pay. The conditions for entitlement to EShPP are explained under [9. Enhanced Shared Parental Pay \(EShPP\)](#).

6.10. Employees who are single parents (one adult with dependent children) do not qualify for SPL, however, if an employee has separated from their partner, they can take SPL providing both parents meet the qualifying conditions.

6.11. Shared parental leave is treated as continuous service for the purpose of statutory rights.

6.12. If employees wish to discuss their plans for Shared Parental Leave with the People Directorate they should raise a Help Desk Request via Horizon.

7 Eligibility for shared parental leave

7.1. To be eligible for SPL and Enhanced Shared Parental Pay (EShPP) there must be two parents sharing responsibility for the child:

- a) At the time of birth for the birth parents.
- b) At the date the child is placed with the adoptive parents, or
- c) At the date of the child's due date or birth date if using a surrogate.

7.2. Employees are not eligible for SPL if they started sharing responsibility for the child after the birth.

7.3. There are some specific criteria applicable to both the university employee and their partner to be eligible to take SPL. The scenarios below set out the eligibility

requirements where the university employee is the birth parent/main adopter, the partner, or where both parents are employed by the university.

7.4. Birth parent/main adopter is a UoG employee

Both parents must meet the following eligibility criteria for the birth parent to get SPL and EShPP:

- a) The **birth parent/main adopter** must have been employed continuously by the university for at least 26 weeks by the end of the 15th week before the due date, or the end of the week when the main adopter is matched for adoption and remain in continuous employment until the week before any period of SPL begins.
- b) Their **partner** must have been working for at least 26 weeks out of the 66 weeks before the week the baby is due (the 26 weeks do not need to be worked consecutively) and must have earned at least £390 in total across any 13 of the 66 weeks.
- c) The **birth parent/main adopter** must be entitled to statutory maternity/adoption leave, statutory maternity/adoption pay or maternity allowance in respect of the child and either end their maternity/adoption leave early by returning to work, or by providing 'binding notice' to the university of the date they plan to end their maternity/adoption leave (See [11. Giving Binding Notice](#)).
- d) The **birth parent/main adopter** may wish to stay on maternity leave whilst their partner takes SPL however both will need to meet the qualifying conditions.

7.5. Partner is a UoG employee

Both parents must meet the following eligibility criteria for the partner to get SPL and EShPP:

- a) The **partner** must have been employed continuously by the university for at least 26 weeks by the end of the 15th week before the due date, or the end of the week when the main adopter is matched for adoption and remain in continuous employment until the week before any period of SPL begins.
- b) The **birth parent/main adopter** must have been working for at least 26 weeks out of the 66 weeks before the week the baby is due (the 26 weeks do not need to be worked consecutively) and must have earned at least £390 in total across any 13 of the 66 weeks.
- c) The **birth parent/main adopter** must be entitled to statutory maternity/adoption leave, statutory maternity/adoption pay or maternity allowance in respect of the child and either end their maternity/adoption leave early by returning to work, or by providing 'binding notice' to their employer of the date they plan to end their maternity/adoption leave (See [11. Giving Binding Notice](#)).

7.6. Both parents are UoG employees

Both parents must meet the same eligibility criteria to get SPL and EShPP:

- a) The **birth parent/main adopter** must be entitled to statutory maternity/adoption pay or maternity allowance in respect of the child and either end their maternity/adoption leave early by returning to work, or by provide 'binding notice' to the university of the date they plan to end their maternity/adoption leave (See [11. Giving Binding Notice](#)).
- b) **Both parents** must have been employed continuously by the university for at least 26 weeks by the end of the 15th week before the due date, or the end of the week when the main adopter is matched for adoption and remain in continuous employment until the week before any period of SPL begins.
- c) **Both parents** must remain in continuous employment until the week before any period of SPL begins.
- d) **Both parents** must meet the lower weekly earnings limit set out on the gov.uk web site [here](#).

8 Employees not eligible for Shared Parental Leave

- 8.1. A maximum of 52 weeks' maternity leave or adoption leave is available to the birth parent (employee), regardless of their length of service or hours worked.
- 8.2. However, if the birth parent (employee) has less than 26 weeks service at the end of the 15th week before the due date, they will not be eligible for Statutory Maternity Pay (SMP) and therefore not eligible for EShPP. However, they may be eligible for Maternity Allowance. Further details can be found on the gov.uk website [here](#). There are no similar statutory provisions for adoption in these circumstances.
- 8.3. The birth parent's (employee's) partner may be entitled to SPL and ShPP (Statutory Shared Parental Pay) if the birth parent (employee) ends their maternity leave and maternity allowance early, and providing the partner satisfies the qualifying conditions for SPL and ShPP with their employer, the partner may be able to take the balance of the maternity leave as SPL and the balance of the maternity allowance as ShPP. The partner's employer is responsible for assessing eligibility and approving SPL and ShPP and communicating this to the partner, therefore the employee's partner must take direction from their employer regarding any arrangements as per their policy and procedures.
- 8.4. See also the university's Maternity Leave and Pay Policy for the circumstances when an employee is not entitled to receive maternity pay.

9 Enhanced Shared Parental Pay (EShPP)

- 9.1. Providing the birth parent/main adopter has ended their maternity/adoption leave early by returning to work or providing 'binding notice', and both parents meet the specific eligibility criteria, they can share up to 50 weeks of SPL and up to 37 weeks of EShPP during the child's first year. This follows the first two weeks of compulsory maternity or adoption leave which cannot be shared.
- 9.2. It is the university's policy to pay an enhanced rate of shared parental pay (EShPP), which mirrors the university's Enhanced Occupational Maternity Pay. This means the university pays eligible employees more than the statutory minimum pay required by law. Statutory Shared Parental Pay (ShPP) is paid for 37 weeks at a rate of £184.03 a

week or 90% of average weekly earnings whichever is lower. The EShPP paid by the university is inclusive of any Statutory Shared Parental Pay.

9.3. The table below shows how Enhanced Shared Parental Pay is paid:

Table 2

SPL		UoG Enhanced Shared Parental Pay
		2 weeks compulsory maternity/adoption leave (cannot be shared)
50 weeks	37 weeks	The first 18 weeks leave paid at full pay <i>(only paid if taken within the first 18 weeks following the birth)</i>
		The following 19 weeks leave paid at the lower of Statutory Shared Parental Pay or 90% of weekly earnings.
	13 weeks	13 weeks unpaid leave

9.4. For an employee to benefit from the full pay element of EShPP (up to a maximum of 18 weeks), they must take their SPL between the 3rd week and the 20th week (after the first two compulsory weeks of maternity/adoption leave).

9.5. Example shared parental leave scenarios

The three examples below show how SPL could be taken in three different ways (note that these examples show the partner taking paternity/partner's leave in the first two weeks following birth but paternity/partner's leave can be taken at any time providing it is taken within 52 weeks of the birth).

Example 1:

Both parents work for the university, and the birth parent/main adopter has given 'binding notice' to the university that they intend to end their maternity leave after the first two compulsory weeks; this creates 50 weeks SPL which both parents could share. In this example the maximum 18 weeks EShPP paid at full pay could be shared between both parents between week 3 and week 20, then the partner returns to work, and the birth parent claims their 19 weeks statutory pay followed by unpaid leave. Note here that this example shows SPL booked as 'continuous leave'.

Table 1 – Example where both parents work for the University of Greenwich.

	50 weeks SPL				
	Week 1 to 2	Week 3 to 11	Week 12 to 30	Week 31 to 43	
Birth parent/main adopter (university employee)	Compulsory maternity/adoption leave; 2 weeks	9 weeks SPL @ full pay	19 weeks SPL with statutory shared parental pay	13 weeks SPL as unpaid leave	Birth parent/main adopter returns to work
Partner (university employee)	Paternity/partner's leave; 2 weeks	9 weeks SPL @ full pay	Partner returns to work		

Example 2:

The partner works for UoG, and the birth parent/main adopter has given 'binding notice' to their employer that they will end their maternity leave early after the first two compulsory weeks; this creates 50 weeks SPL which both parents could share. The

employee may want to take the 18 weeks at full pay, providing it is taken between week 3 and 20. This would leave 32 weeks to be shared. This example shows the birth parent taking the remaining 32 weeks SPL to be shared and 19 weeks of pay. This example shows the birth parent taking the remaining 32 weeks SPL and 19 weeks of pay. However, this example is very much dependent on the policy of the birth parent's employer's policy and how they pay their SPL. Note here that this example shows SPL booked as 'continuous leave'.

Table 2 – Example where only the partner works for the University of Greenwich.

	50 weeks SPL		
	Week 1 to 2	Week 3 to 20	Week 21 to 34
Partner (UoG employee)	Paternity/partner's leave; 2 weeks	18 weeks SPL @ full pay	Partner returns to work
Birth parent/main adopter (another employer)	Compulsory maternity/adoption leave; 2 weeks	18 weeks SPL or maternity leave (paid by their employer as per their policy)	14 weeks SPL or maternity leave (paid by their employer as per their policy)

Example 3:

The birth parent works for UoG, and they wish to take the first 18 weeks as maternity leave at the enhanced rate of pay and provide binding notice to end their maternity leave after 18 weeks to create shared parental leave. By deducting the 18 weeks maternity leave already taken, this would create 32 weeks which can be shared and 19 weeks' pay which can be shared. This example also shows how SPL can be taken as 'discontinuous leave' (in separate blocks). Note discontinuous leave is subject to line manager approval (see [13.7 discontinuous leave](#)).

Table 3 – Example where only the birth parent works for the University of Greenwich.

	50 weeks maternity/SPL leave					
		18 weeks maternity leave	32 weeks SPL			
	Week 1 to 2	Week 3 to 20	Week 21 to 26	Week 27 to 32	Week 33	Week 34 to 46
Birth parent/main adopter (university employee)	Compulsory maternity/adoption leave; 2 weeks	18 weeks enhanced maternity pay or EShPP paid @ full pay	Birth parent returns to work	6 weeks statutory SPL	1 week statutory SPL	13 weeks unpaid
Partner (another employer)	Paternity/partner's leave; 2 weeks	Partner returns to work	6 weeks SPL (paid by their employer as per their policy)	6 weeks SPL (paid by their employer as per their policy)	Partner returns to work	

9.6. Whilst two parents share SPL and EShPP, the university only provides SPL and EShPP to the university employee. Where one parent works for another employer, both parents

should consider the university's provision alongside the policy and provisions of the other parent's employer.

- 9.7. Employees are responsible for deciding how they share SPL with their partner and calculating the number of weeks of SPL they have available to share.
- 9.8. Eligible parents who wish to take SPL are encouraged to use the Gov.uk online [planning tool](#), to help plan how and when they can take SPL alongside maternity, adoption and paternity leave.

10 Ending maternity or adoption leave to create SPL and EShPP

- 10.1. If both parents meet the eligibility requirements SPL is created by the birth parent/main adopter ending their maternity or adoption leave and pay early. This reduces the maternity/adoption leave/pay period so that the untaken leave and pay can be taken as SPL and EShPP. It is only the untaken balance of maternity/adoption leave that can be taken as SPL.
- 10.2. If the birth parent is not eligible for statutory maternity pay, they may be entitled to maternity allowance. The birth parent's partner may be entitled to SPL and ShPP (Statutory Shared Parental Pay) if the birth parent ends their maternity leave and maternity allowance early, and providing the partner satisfies the qualifying conditions for SPL and ShPP with the university (or their employer), the partner may be able to take the balance of the maternity leave as SPL and the balance of the maternity allowance as ShPP. Employees must provide the university with evidence of their entitlement to maternity allowance.
- 10.3. If the birth parent is not eligible for statutory adoption pay, they will not be eligible for SPL or EShPP. This does not affect their entitlement to statutory adoption leave.
- 10.4. To end maternity/adoption leave early the employee should refer to [11. Giving binding notice](#) (if they are the birth parent/main adopter) and [13. Booking leave](#) (for any employee who wants to take SPL).

11 Giving 'binding' notice

- 11.1. To create SPL and where the employee is the birth parent/main adopter, they must give the university eight weeks' written notice to end their maternity/adoption leave on a specific date so that they and/or their partner can take the remaining leave as SPL. This is called 'binding' notice. Then they and/or their partner can take their SPL as they have planned. Where the employee is the partner, they will need to give eight weeks' notice to the university of any SPL they want to take.
- 11.2. The employee who wishes to take SPL gives notice by completing the **Shared Parental Leave Application Form** and submitting this by email to their line manager for approval. This form will include the name of their partner and details of their partner's employer if they are also taking SPL. SPL cannot be created without providing the details required in the Shared Parental Leave Application Form. The form will also include a 'period of leave notice' setting out the dates the employee wishes to take as leave (see [13. Booking leave](#)). Where both parents are employees of the university and both wish to take SPL, both parents should complete an application form.

- 11.3. A copy of the MAT B1 form (or child's birth certificate) should also be attached to the Shared Parental Leave Application Form or provided as soon as possible once it has been issued.
- 11.4. The line manager must submit the *Shared Parental Leave Application Form* and MATB1 to the People Directorate by raising a Help Desk Request via Horizon and attaching both.
- 11.5. Following receipt of the Shared Parental Leave Application Form the People Directorate will email the employee to confirm details of their SPL and pay arrangements including the start and finish date/s.
- 11.6. Employees who are planning to end their Maternity Allowance to create SPL must provide their 'binding notice' to Jobcentre plus.

12 Withdrawing 'binding' notice

- 12.1. The notice to end maternity/adoption leave is binding, however the birth parent/main adopter can withdraw the binding notice in some circumstances providing they have not returned to work, and the end date has not yet passed:
- a) When it is discovered in the eight weeks following the notice that neither the birth parent/main adopter nor their partner has any entitlement to SPL or EShPP.
 - b) In the event of the death of the partner.
 - c) If the notice was given before the birth and the birth parent/main adopter withdraws their binding notice in the six weeks following the birth.

13 Booking shared parental leave

- 13.1. Whilst the 'binding notice' confirms the date the employee wishes their maternity/adoption leave to end, they must also book their leave by submitting a 'period of leave notice' which sets out the period/s of leave they wish to take. This should be indicated on the *Shared Parental Leave Application Form* at least eight weeks before the requested start date/s. Employees are advised to discuss their plans with their line manager in advance of booking their leave.
- 13.2. SPL can be requested as:
- a) **Continuous leave**, where all leave is taken in one continuous block, or
 - b) **Discontinuous leave**, where leave is taken in a number of blocks with periods of work in between.
- 13.3. SPL can only be taken in one week blocks and the minimum amount that can be taken is one week.
- 13.4. An employee is entitled to a maximum of three requests for SPL which includes any requests to change leave already booked (see also [14. Changing Booked Leave](#)). A Period of Leave Notice for discontinuous leave that is withdrawn before it is agreed, does not count towards the three requests for leave that the employee can make.
- 13.5. All requests for leave are subject to the correct notice being provided and discontinuous leave is subject to approval by the line manager.

13.6. Continuous leave request

Where the employee requests one continuous block of leave the line manager must accept the request and allow the employee to take the leave, providing the employee meets the eligibility requirements and provides the correct notice. This will be confirmed in writing to the employee.

13.7. Discontinuous leave request

Whilst the employee may submit a request for discontinuous leave in one 'period of leave notice', agreement of the request is subject to the line managers approval. The line manager has two weeks from the date the request was submitted to:

- a) Agree to the request
- b) Propose alternative leave dates, or
- c) Refuse the request

13.8. The line manager should consider a discontinuous leave request carefully and support the leave wherever possible, bearing in mind that employees are entitled to submit three separate leave requests, each of which must be accepted. Line managers should seek guidance from the People Directorate if necessary.

13.9. When a discontinuous leave request is refused

If the line manager is unable to agree to the request the reason(s) must be fair and reasonable, explained to the employee and confirmed in writing.

13.10. The following are some examples why an employee's request for discontinuous leave could be refused:

- a) The proposed leave pattern causes significant disruption to scheduled teaching, impacting on the student experience, service delivery, team continuity, team member's workloads or project timelines, or
- b) Where it is not reasonably possible to arrange cover for the intermittent periods of absence, particularly if the role requires consistent presence, or
- c) Where the requested leave overlaps with critical business periods where staffing levels need to be maintained, or
- d) Where the employee did not provide sufficient notice in accordance with this policy.

13.11. If a request for discontinuous leave is refused, the employee will still be entitled to take the full amount of requested SPL as one continuous block starting on the date given on the binding notice, for example:

If an employee requested three separate periods of four weeks each and an agreement isn't reached, the employee will be entitled to one 12 week period of leave starting from the date given in the notice.

13.12. The employee must confirm the date they intend to start their leave within five days following the two week discussion period. If the employee does not specify a date, the leave will begin on the start date of the first period of discontinuous leave in their original request.

13.13. Alternatively, the employee may withdraw the Period of Leave Notice at any time on or before the 15th day after the Period of Leave Notice was given.

14 Changing booked leave

- 14.1. Employees can change their booked leave dates up to three times, providing they give eight weeks' written notice before the original start date and the new start date. In exceptional circumstances, the university may, at its sole discretion, agree to vary this notice period. Such exceptions will be considered on a case by case basis.
- 14.2. The reason for changing booked leave dates could be:
- a) a change to the start or end date of the leave
 - b) to change a request from a period of discontinuous leave to continuous or vice versa, or
 - c) to cancel a period of leave.
- 14.3. A notice to cancel or change a period of leave will count as one of the three Period of Leave Notices.
- 14.4. In the event that the baby is born earlier or later than the EWC the employee does not need to give eight weeks' notice of changes to their SPL. In this case they may take the leave and pay they have booked early or later if they wish to i.e. take it at the equivalent time to when they originally intended had the baby been born on time. They should notify their line manager as soon as possible.

15 Pregnancy loss and stillbirth

- 15.1. Sadly, there will be occasions when an employee suffers a pregnancy loss or a stillbirth. Employment rights differ depending on when this occurs. Once 24 weeks of pregnancy have passed, an employee suffering a stillbirth or the loss of a young baby shortly after it is born alive, is covered by normal maternity rights as set out in the university's Maternity Leave policy; either event is regarded as a birth. The EWC on the MatB1 form is used to calculate the 24th week. Where maternity leave has not yet begun, an employee's maternity leave is deemed to have started on the day after the day of the birth and they retain their right to maternity leave and any maternity pay, subject to eligibility.
- 15.2. The employee must take the first two weeks of compulsory maternity leave.
- 15.3. There is no obligation for the employee to return to work early from maternity leave. However, if they wish to do so, they will be required to give 8 weeks' notice. The employee retains the same rights on return to work as set out in the maternity policy.
- 15.4. Where the loss of a pregnancy occurs before 24 weeks of pregnancy, the employee is not entitled to maternity leave or pay (although see 15.6 below). See also the university's Special Leave guidance for details of bereavement leave.
- 15.5. If the employee takes sickness absence their medical professional may certify the absence as pregnancy related. The manager should discuss with the employee whether an Occupational Health referral would be appropriate, particularly if the employee is likely to be on sickness absence for four weeks or more.
- 15.6. In the event of a live birth occurring before a pregnancy reaches 24 weeks, the employee will be entitled to normal maternity rights, including maternity leave and pay (subject to eligibility set out in the maternity policy) even if the baby lives for only a short time.
- 15.7. Prior to returning to work the manager and employee should discuss any support which may be appropriate, including with regard to their preferences about any communications with colleagues. The employee should be encouraged to use the

services of the Employee Assistance Programme which can be found on the university staff portal [here](#).

- 15.8. On return to work, the line manager or another nominated individual is encouraged to discuss with the member of staff whether a Health and Safety risk assessment is appropriate. The Safety Unit is available to advise the manager and member of staff.

16 Shared Parental Leave Keeping in Touch (SPLIT) days

- 16.1. Employees on SPL can work up to 20 days during their SPL without bringing their SPL to an end or losing statutory shared parental pay. These are called Shared Parental Leave Keeping in Touch (SPLIT) days.
- 16.2. If both parents work for the university and both take SPL each parent can take up to 20 SPLIT days each during their SPL, regardless of how much SPL they are taking.
- 16.3. Any work done on one day will count as one whole SPLIT day (even a half day).
- 16.4. Employees will receive full pay for a SPLIT day inclusive of any statutory shared parental pay.
- 16.5. SPLIT days may help facilitate a smooth return to the workplace. This could be to attend a work-related activity or simply to keep up to date with work in general.
- 16.6. Whilst SPLIT days can be beneficial and are encouraged by the university, they are optional.
- 16.7. SPLIT days can be taken at any time during SPL but not during the two weeks of compulsory maternity leave following the birth or the two weeks following adoption.
- 16.8. SPLIT days are in addition to the 10 KIT (Keeping In Touch) days provided during maternity leave.
- 16.9. Whilst it is expected that employees may visit their colleagues with their new baby, babies must not be brought into the office on SPLIT days. Employees are responsible for meeting childcare costs on SPLIT days.
- 16.10. SPLIT days will not extend the SPL period, and they are not additional to annual leave. Where SPLIT days are not taken, they will be lost and cannot be carried forward.
- 16.11. Employees should agree the dates of any SPLIT days with their line manager. The line manager is responsible for notifying the People Directorate of the dates of any SPLIT days taken by raising a Help Desk Request via Horizon. They should do this as soon as possible to prevent any delays in processing for payroll. The People Directorate will contact the employee to confirm their SPLIT days have been recorded for payroll purposes.

17 Pension Implications

- 17.1. The university continues to pay appropriate employer pension contributions during the paid period of SPL. Employees contributing to a pension scheme will continue in the scheme, paying contributions on the rate of pay received during any period of paid shared parental leave.

17.2. When the employee is on unpaid shared parental leave, this period is not pensionable, therefore, the employee will not receive pension contributions for this period of time. However, if the employee wishes to, they can choose to cover this period of unpaid leave for pension purposes by paying an age-related Additional Pension Contribution (APC) to cover the amount of pension 'lost'. The employee should refer to their pension provider for further details on how to do this.

17.3. Contact details for the university's pension providers are:

- a) For Professional Services pensions contact the [LPFA \(London Pensions Fund Authority\)](#)
- b) For Teaching staff pension contact the [TPS \(Teachers' Pension Scheme\)](#)

18 Annual Leave

18.1. During shared parental leave, holiday entitlement, including public holidays, will accrue at the rate provided under the employee's contract of employment, in the leave year prior to commencing SPL, throughout SPL, including during the period of unpaid SPL, and in the leave year after SPL has begun.

18.2. Whilst employees are encouraged to take their accrued annual leave in the year prior to starting SPL, this may not always be possible. If an employee has been unable to take their accrued annual leave before the end of the annual leave year due to them taking SPL, they are entitled to carry over a maximum of their accrued annual leave at the rate provided under their contract of employment, into the new annual leave year. This procedure applies to both full-time and part-time (pro-rated) employees.

18.3. Employees are advised to discuss and agree how they plan to take their annual leave and request it in the usual way on Horizon.

19 Sickness

19.1. During shared parental leave employees are not entitled to receive sick pay and cannot be classed as "off sick".

20 Maintaining Reasonable Contact

20.1. The line manager is encouraged to maintain reasonable contact with the employee during a period of SPL, for example to discuss arrangements for the employee's return to work or to inform the employee of important workplace developments. Equally the employee is also encouraged to contact their line manager during this time if they wish to discuss their return to work.

20.2. The line manager should also ensure the employee is able to access details of any promotion opportunities or vacancies which arise during SPL. The manager should ensure the employee is consulted when organisational restructures are being contemplated.

20.3. Prior to the commencement of SPL, the employee and their manager should discuss the extent to which the employee wishes the university to maintain contact with them and their preferred arrangements for keeping in touch.

21 Returning to work

- 21.1. All employees have the right to return to work at any time during their SPL period, provided they give eight weeks' notice.
- 21.2. Employees have the right to return to work in the same post following SPL under the same terms and conditions of service which applied before they took SPL. This right applies only if the period of leave, when added to any other period of SPL, or statutory maternity, adoption, paternity leave ("relevant statutory leave") taken by the employee in relation to the child, is 26 weeks or less.
- 21.3. Where the period of leave is more than 26 weeks, when added to any other period of relevant statutory leave taken in relation to the child, the employee has the right to return to the same job unless this is not reasonably practical in which case they have a right to return to another suitable job at terms that are no less favourable. This right also applies when the leave was the last of two or more consecutive periods of relevant statutory leave that included a period of parental leave, a period of additional maternity leave or a period of additional adoption leave, regardless of whether the total amount of relevant statutory leave taken is 26 weeks or less.

22 Not Returning To Work

- 22.1. If the employee does not intend to return to work from SPL, or is unsure, they should discuss this with their line manager as early as possible. If the employee decides they will not return, they must give the appropriate notice period of their resignation during their SPL, in accordance with their contract.

23 Neonatal Care Leave

- 23.1. Neonatal care leave provides parents with additional time off with their newborn baby when they require medical care, without using their shared parental leave.
- 23.2. Employees will be eligible for neonatal care leave when their newborn baby is admitted to hospital up to 28 days after birth, for an uninterrupted hospital stay of seven days or more. Eligible employees will be entitled to take a minimum of one week and up to a maximum of twelve weeks of neonatal care leave, regardless of the number of times the baby is admitted to hospital. Neonatal leave must be taken in complete weeks which can be taken consecutively or non-consecutively. A complete week of leave is defined as the same number of hours that an employee normally works in a week.
- 23.3. Neonatal leave is applicable to each individually affected employee, whether they are the birth parent or partner/father. Each parent is entitled to neonatal care leave.
- 23.4. Eligible employees have the right to neonatal care leave from the first day of employment.
- 23.5. Maternity leave cannot be curtailed to take neonatal care leave and restarted again, rather neonatal leave must be taken at the end of the employee's maternity leave or after they have returned to work, provided it is taken within 68 weeks.
- 23.6. Where the employee is eligible for neonatal leave and planning to take SPL, neonatal leave can be taken at any time before, between or at the end of the employee's SPL, depending on the arrangements the individual has made to take SPL. However, fathers/partners must take their paternity/partner's leave before taking any neonatal

leave. Regardless of when neonatal leave is taken and by whom, it must be taken within 68 weeks of the birth.

- 23.7. If the father/partner has taken all of their paternity leave from the day after their baby's birth and returned to work and their baby is then admitted to hospital in the period between their return to work and the eligible period of 28 days from birth, their neonatal leave entitlement will be triggered if the baby remains in hospital for an uninterrupted stay of seven days. The father/partner may wish to take unpaid leave or annual leave whilst their baby is in hospital, however if neonatal leave is triggered after seven days, the university will backdate the start of their neonatal leave and pay to the first day the baby was admitted, ensuring the employee is not out of pocket. Any annual leave taken during the seven days of admission must be credited back to the employee.
- 23.8. Eligible employees must notify their line manager of their intention to take neonatal care leave as soon as is reasonably practicable.
- 23.9. Neonatal leave does not need to be approved by the line manager as it is a statutory entitlement providing the employee meets the eligibility requirements. However, the line manager must notify the People Directorate to ensure the leave is recorded correctly on Horizon.
- 23.10. With the employees' agreement, and considering the potential sensitivity of the situation, the line manager should maintain an appropriate level of contact with the employee during neonatal care leave. The line manager should also ensure the employee is aware of the Employee Assistance Programme provided by the university and how to access it. Further information can be found on the university staff portal [here](#).
- 23.11. Employees should refer to the provisions elsewhere in this policy regarding Shared Parental Leave Keeping in Touch (SPLIT) days and their return to work following neonatal care leave.
- 23.12. During neonatal care leave, holiday entitlement, including public holidays, will accrue at the rate provided under the employee's contract of employment.
- 23.13. Where there is an increase in pay during neonatal care leave, the employee's normal pay rate will be recalculated to reflect any increment or pay award applied during that period.
- 23.14. The university continues to pay the appropriate employer's pension contributions during neonatal care leave.
- 23.15. If the employee does not intend to return to work from neonatal care leave, or is unsure about returning, they should discuss this with their line manager as early as possible. If the employee decides they will not return, they must give the appropriate notice period of their resignation during their neonatal care leave, in accordance with their contract.

24 Neonatal Care Pay

- 24.1. Employees are entitled to a maximum of 12 weeks of neonatal leave at their normal pay rate (this includes Statutory Neonatal Care Pay (SNCP) entitlement).

25 Other policies, guidance and forms

25.1. All of the following policies can be found by searching the university staff portal.

- a) **Shared Parental Leave Application Form.**
- b) **Maternity Leave and Pay Policy.**
- c) **Paternity/Partners Leave and Pay Policy.**
- d) **Adoption Leave Policy.**
- e) **Sickness Absence Policy and Procedure.**
- f) **Special Leave.** This guidance sets out staff eligibility for discretionary leave for purposes such as a bereavement, or a funeral, Time off to care for family and dependents in an emergency and Carer's Leave. Special Leave guidance can be found on the university staff portal.
- g) **Parental Leave policy.**

This policy will be reviewed regularly.

Version No.	Purpose/Change	Author	Approved By	Date
1.0			Staffing Committee	2008 and Jan 2015
			VCG	April 2019
			JNC	February 2020
2.0	Updated to use gender neutral language		N/A	4 th October 2021
3.0	Updated to include Neonatal Care Leave and Pay	Vanessa Roots Senior Workforce Policy Officer	VCE	22 July 2024
4.0	Policy review	Vanessa Roots Senior Workforce Policy Officer	JNC	12/12/2025