THE UNIVERSITY of EDINBURGH

Shared Parental Leave Policy (SPL) – Key Facts for Mothers/Lead Adopters

A. SPL and maternity/adoption leave and pay

There is no change to the existing arrangements for maternity or adoption leave and pay. The only difference is that you can choose to give up some of your leave and pay so that you and/or your partner can take it as SPL. You don't have to – it's entirely your decision.

Parents can share 52 weeks' leave and 39 weeks' statutory pay; however you must take at least 2 weeks' of this as maternity/adoption leave and pay immediately following your child's birth /placement. The actual amount of leave/pay available will depend on the actual number of weeks' maternity/ adoption leave and pay you take. Your partner can take SPL while you are on maternity/adoption leave, at a different time from you, or you can both take SPL together.

You opt-in to the SPL regime by either a) returning to work or b) giving notice to curtail your maternity/adoption leave/pay at a future date. You can return to work and decide to opt-in to SPL at a later date – provided you and your partner meet certain conditions and give the required amount of notice. You don't have to take any SPL yourself. You can pass all of your untaken maternity/adoption leave to your partner to take as SPL, provided you and your partner meet certain conditions and give the required amount of notice.

B. Leave entitlement and qualifying conditions

If you plan to take SPL, your partner must have been employed/self-employed for at least 26 of the 66 weeks before your baby is due and must have earned an average of at least £30 per week in any 13 of these 66 weeks. If your partner does not meet these employment and earnings conditions, you will not be able to take SPL.

If your partner plans to take SPL, they will need to have 26 weeks' continuous service with their employer[1] (at the 15th week before the week your baby is due or at the matching date for adoption) and you will need to meet the above employment and earnings conditions. Your partner should ensure they understand and follow their employer's SPL policy and procedures.

C. Statutory shared parental pay (ShPP)

If you have: 26 weeks' service (at the 15th week before your baby is due or at the matching date for adoption) and your partner meets the employment and earnings test for SPL and you qualify for Statutory Maternity Pay (SMP) or Statutory Adoption Pay (SAP), you will qualify for statutory ShPP. You can choose to share up to 37 weeks' statutory ShPP with your partner. You don't have to – it's entirely your decision.

Statutory ShPP is set by government. Current rates can be found here.

Note: bear in mind when deciding to opt-in to SPL that the first 6 weeks of SMP is paid at the higher rate of 90% of your average weekly earnings (as is the first 6 weeks of SAP in respect of adoptions).

[1] Unless they are also employed by UoE, when they, like you, will qualify from day one of their employment

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D. University enhanced shared parental pay (UEShPP)

If you have any enhanced maternity/adoption (UEMP/UEAP) pay remaining when you curtail your maternity/adoption leave, you will be able to take this as UEShPP during SPL.

UEShPP must be taken in the same weeks as any statutory ShPP is due. It must also be taken within 52 weeks of your child's birth/placement.

If your partner is employed by the University, you can choose to transfer some or all of your untaken enhanced pay to them to be taken as UEShPP, which they will receive at their rate of pay and must take within 52 weeks' of your child's birth/placement.

E. Notification requirements

Each step in the process requires you to give at least eight weeks' written notice.

When opting-in to SPL you must give a non-binding indication of when and how you propose to take/share your remaining leave and pay and you and your partner must self-declare your entitlement to leave and pay. Although legally entitled to request documentary evidence, the University will normally take such declarations on trust.

F. Booking time off

You must take SPL in whole-week blocks. You have the right to make three separate requests for leave. Each request can be for continuous or discontinuous leave. If you request a single block of continuous leave, this will be granted automatically. A request for discontinuous leave (e.g. 4 weeks' SPL, followed by 8 weeks' at work, followed by 4 weeks' SPL) will need to be agreed with your line manager and may be refused.

G. Rights during SPL

You are entitled to 20 shared parental leave in touch (SPLIT) days; these are similar in purpose, and in addition, to your 10 maternity KIT days.

All terms and conditions of employment, excluding pay remain in force during SPL.

Note: the above is a brief summary of provisions. Please ensure you refer to the full SPL policy before making an application or speak to your local HR team.

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