

## **What is Shared Parental Leave?**

Mothers can share maternity leave and pay with their partners. Working partners have a right to share 50 weeks and take at least 3 blocks of leave before the baby's first birthday. They can opt to take the Shared Parental Leave (SPL) separately or together.

## **Who's Eligible?**

The mother and partner must comply with the SPL procedures and have responsibility for caring for the child. The partner can be: the child's father, the mother's husband or civil partner at the time of the birth, or a partner who lives with her and the child in an 'enduring family relationship'.

An employee must have been continuously employed for **26 weeks** up to and including the 15<sup>th</sup> week before the expected week of childbirth and still be employed in the week before any SPL is due to start. The employee must have earned not less than the lower earnings limit.

The other partner must have been employed or self-employed for a total of **26 weeks**, not necessarily continuously, in the period of 66 weeks leading up to the week of expected childbirth and must have earned an average of £30 a week (as of 2015) in 13 of those 26 weeks, not necessarily continuously.

## **How does SPL work?**

**Step 1:** The mother needs to either give at least **8 weeks' notice** that she wishes to shorten her maternity leave or return to work. If the notice is given before the baby is born, the mother is allowed to change her mind up to six weeks after the birth.

**Step 2:** The mother and partner must give their employer a '**notice of entitlement**' that they intend to take shared parental leave and give the following information:

- Names, addresses and national insurance numbers of both mother and partner who wish to use the shared parental leave
- The start date and end date of maternity leave, the balance of leave and pay that remains and the date the baby was born (or is due)
- How much SPL each person proposes to take
- A non-binding indication of when the employee intends to take their portion of leave
- A signed declaration by the mother and partner that they meet the qualifying conditions, agree to the division of leave and pay, agree to information being processed by the employer, confirm the accuracy of the information and agree to inform their employer immediately if they cease to be eligible

**Step 3:** The mother and partner must give at least **8 weeks' notice** to their employer before they actually take a block of SPL, including proposed leave dates and division of pay. The leave must be taken in blocks of at least one week and cannot start until the baby is born.

Each partner has the right to take **three blocks** of SPL and can withdraw or vary a notice to take the period of leave up to **three** times.

### **Additional Information**

- Untaken maternity pay or maternity allowance turns into statutory shared parental pay up to a maximum of **37 weeks**.
- Contractual terms remain in place for employees on SPL eg accrual of holiday
- The mother can only share the parental leave with one other person.
- In addition to the 10 keeping in touch days (**KIT days**) that a mother on maternity leave has, she and her partner are also entitled to 20 SPL in touch days (**SPLIT days**).
- SPL is also applicable to those adopting a child.

Further Information is available from [ACAS](#) and [GOV.UK](#) websites.

*If you would like help navigating through a Shared Parental Leave request, call me on: 01952 246612 or email: [kay@kayhealdhr.co.uk](mailto:kay@kayhealdhr.co.uk)*