

Shared Parental Leave and Pay Policy

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I. Introduction

At Strathclyde we know that having a baby or adopting a new child is an important and exciting time and we want to support you.

In this policy you'll find all the information you need on your entitlements to shared parental leave and pay and the support that we can offer you, before, during and after your leave. We also have a range of FAQs and information on how to apply for shared parental leave.

We recognise that some of our staff may not identify with the term 'mother', so we've added the term 'birth parent' into this policy to ensure inclusivity for our LGBTQ+ parents. However, for simplicity, and in line with legislation, the term 'maternity' will still be used in our forms and systems, including payroll, so please note that where used, this term includes all pregnant and birth parents.

We also recognise that some of our staff who want to use shared parental leave may not be in a relationship with the other parent. Whilst it's your parental responsibility, and not your relationship status, which determines your eligibility for shared parental leave, for simplicity, the term 'your partner' will still be used throughout this policy.

Please note, if this policy refers to additional guidance, FAQs, online forms, or training, these are accessible to University colleagues on our [People Hub](#).

2. Who is Covered by this Policy?

The benefits outlined in this policy apply to all University employees, providing they meet the relevant eligibility requirements. This includes fixed term employees.

Workers on flexible assignments (such as those on guaranteed minimum hours contracts), may also be eligible for some statutory benefits providing they meet the necessary statutory scheme criteria.

3. What is Shared Parental Leave and How Does it Work?

Shared parental leave (SPL) is a type of leave that allows mothers/ birth parents or adoptive parents to end their maternity or adoption leave and pay early, and then share any untaken balance of leave and pay with their partner.

You and your partner may be able to opt in to the SPL scheme and receive Shared Parental Pay (ShPP) if you're:

- having a baby.
- using a surrogate to have a baby.
- adopting a child.
- fostering a child who you're planning to adopt.

To get leave and pay, you or your partner must:

- take less than the 52 weeks of maternity or adoption leave and use the rest as SPL.
- take less than the 39 weeks of maternity or adoption pay (or Maternity Allowance) and use the rest as ShPP.

You need to share the pay and leave in the first year after your child is born or placed with your family.

For you and your partner to qualify to opt into the SPL Scheme, you **both** need to meet certain eligibility requirements for leave and pay. Keep in mind that the eligibility requirements are different for shared parental **leave** and shared parental **pay** so it's important to read all the eligibility requirements carefully to check that you qualify.

Unless you and your partner both work for the University, there will normally be two employers involved when taking SPL. Both partners need to liaise with their own employer to make sure that requests for SPL are handled as smoothly as possible.

And just so you know, Shared Parental Leave is different and separate from Ordinary Parental Leave. Ordinary Parental Leave allows eligible parents to take up to 18 weeks unpaid leave to care for their child (up until their 18th birthday) and it can be taken in addition to SPL. Our [Ordinary Parental Leave Policy](#) provides more information.

4. How Much Time Off is Available?

A total of 52 weeks' maternity /adoption leave is available to the mother/birth parent/primary adopter. As the first two weeks of maternity/ adoption leave are compulsory, you can share up to a maximum of 50 weeks of SPL. The actual number of weeks' leave available to you will depend on how much maternity/ adoption leave you or your partner take.

For example, if you're the mother/birth parent and you've taken, or plan to take, only 22 weeks of Maternity Leave, then you can share 30 weeks of SPL with your partner.

4.1. Eligibility for Leave

You can take SPL if:

- you share responsibility with your partner for the care of your child at the time of their birth/placement.
- You pass the UK statutory '**continuity of employment test**'. This means you 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 you or your partner are matched with a child if you're adopting).
 - be employed by the University at the start of each period of leave.
- Your partner meets the UK statutory '**employment and earnings test**'. This means they must have:
 - worked for at least 26 of 66 weeks before the expected birth date or adoption match date.
 - earned an average of at least £30 a week in any 13 weeks of those 66 weeks (that's £390 in total).

- been legally classed in England, Scotland, or Wales as one of the following: employee, worker, self-employed earner.
- the mother/ birth parent/primary adopter gives notice to bring their UK maternity/adoption leave/pay to an end early (known as curtailment).

Note: Sometimes only one parent will be eligible for SPL. For example, if your partner is self-employed or is classed as a 'worker', they'll not be entitled to SPL themselves, but so long as they pass the 'employment and earnings test', you may still qualify for SPL. However, if your partner doesn't meet the 'employment and earnings' test, you will not be entitled to take SPL, even if you meet all other eligibility criteria.

If you're not sure if you qualify you can use the Government's [online SPL checker tool](#) to see if you meet the eligibility requirements.

4.2. Ways to Take SPL

There are several ways that you can organise to take SPL with your partner. You can:

- take SPL while your partner is on maternity/adoption leave, (providing notice has been given to curtail (end) the maternity/adoption leave at a future date).
- both take SPL together at the same time (concurrently).
- both take SPL but at different times (for example, take periods of SPL in turns with your partner and alternate SPL with periods of work).
- take all the remaining balance of leave to allow your partner to return to work.
- both return to work at the same time and take SPL at a later date (within the first year after your child is born or placed with your family).

This means you can take leave in one continuous block or split it up into what is known as 'discontinuous' blocks. You can take a maximum of three discontinuous blocks.

SPL can start on any day of the week, however, as a minimum, leave must be taken in blocks of at least one week.

Our [FAQs](#) (staff login required) contain a range of SPL scenarios which provide examples on how parents can share SPL and pay between them.

5. Pay During Your Shared Parental Leave

5.1. Statutory Shared Parental Pay (Statutory ShPP)

A total of 39 weeks' statutory maternity pay/adoption pay (or maternity allowance) is available to the mother/ birth parent/ primary adopter. As the first two weeks of maternity/ adoption leave (and pay, where applicable) are compulsory, it's possible to share up to a maximum of 37 weeks of Statutory ShPP between you.

The actual number of statutory weeks' pay that can be shared during SPL will depend on how much maternity or adoption pay (or Maternity Allowance) you or your partner have received. For example, if your partner gives notice to end their maternity/adoption leave after 32 weeks' leave and statutory pay, there will be seven weeks' statutory pay left to share.

If both you and your partner qualify for statutory ShPP you must agree between you who will receive it, or how it will be shared between you and indicate this on the form when booking leave.

Statutory ShPP is paid at the lower of the [standard flat rate](#) set by the Government or 90% of your average weekly earnings.

Statutory ShPP will also be paid if you've used up your entitlement to enhanced University shared parental pay (UShPP) and there is statutory pay left to share (see below).

Eligibility for Statutory ShPP

You'll qualify for statutory ShPP, if you or your partner have statutory maternity/adoption pay or maternity allowance left to share and:

You: -

- pass the UK statutory '**continuity of employment test**'. This means you 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 you or your partner are matched with a child if you're adopting).
 - be employed by the University at the start of each period of leave.

- have earned above the [Lower Earnings Limit for National Insurance Contributions](#) in the eight weeks before the 15th week before your baby's due, or the adoption match date.

Your partner:

- meets the UK statutory '**employment and earnings test**'. This means they must have:
 - worked for at least 26 of 66 weeks before the expected birth date or adoption match date.
 - earned an average of at least £30 a week in any 13 weeks of those 66 weeks (that's £390 in total).
 - been legally classed in England, Scotland, or Wales as one of the following: employee, worker, self-employed earner.

5.2. Enhanced University Shared Parental Pay (UShPP)

For employees who meet the qualifying criteria for SPL and statutory ShPP, there is up to a maximum of 18 weeks at full normal pay available to take during leave.

How much of the 18 weeks enhanced UShPP you'll receive will depend on:

- (a) how many weeks of maternity/ adoption leave (or SMP/SAP/MA) the mother/primary adopter intends to take. This will be deducted from the maximum 18-week entitlement.
- (b) whether one or both of you intend to take SPL. Where both parents intend to take SPL (either separately or at the same time), the entitlement to enhanced UShPP pay will apply in respect to the initial weeks of SPL taken by you both.

Please see our [FAQs](#) (staff login required) for SPL scenarios illustrating the different ways leave and pay may be shared between parents and how enhanced UShPP will be calculated.

Enhanced University ShPP will include statutory ShPP.

Enhanced UShPP 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.

No combination of payments (enhanced UShPP and statutory ShPP) can exceed normal full pay (the amount you usually receive for your contractual working hours).

If both parents work at the University

If both you and your partner are employed by the University, the total amount of enhanced UShPP and enhanced University Maternity/Adoption Pay received by you both cannot exceed 18 weeks.

6. If Your Baby Needs Neonatal Care

We know that sometimes the birth of your baby might not go to plan. If your baby requires to spend a period of 7 days or more in neonatal care you will also be entitled to Neonatal Care Leave. You can receive one week of leave for each full week your baby spends in neonatal care (up to a maximum of twelve weeks).

If you qualify for statutory shared parental pay, your neonatal care leave will also be paid. This means you will be paid at the statutory rate, set by the Government, for each week of neonatal care leave you take. You can find out more about how you can use your leave and how to apply in our [Neonatal Care Leave and Pay Policy](#).

7. How to Request Shared Parental Leave

You're encouraged to notify your manager as soon as possible of your plans to take SPL, so that your manager can plan ahead. You'll also need to fill out [SPL Application Form](#) (staff login required), giving at least 8 weeks' notice of your intended SPL dates.

Your partner will need to give notice to their employer too (or to JobCentre Plus if they're not employed but qualify for statutory maternity/adoption pay or Maternity Allowance). Your partner will also need to confirm that they're eligible to take SPL and are happy to share the leave with you.

We trust that you and/or your partner will always be honest in any declarations that you make, so we won't normally ask for proof of your partner's leave status. However, any suspected abuse of this policy will be investigated under our [Disciplinary Procedure](#).

If both you and your partner work for the University, you'll only need to complete one form, but you'll both need to sign it.

8. During Shared Parental Leave

8.1. Continuity of Employment

Whilst you're on SPL, you'll continue to be employed by us and your service will not be broken. You'll return to the same job and the same terms and conditions as you had before you started your leave. If for any reason, there's a need for your role to change, you'll be fully consulted with.

8.2. Annual Leave and Public Holidays

You'll continue to accrue (build up) [annual leave and public holiday](#) entitlements while you're on SPL. You should talk to your manager before you start your leave about taking your holidays. We encourage you to plan to take your holidays either at the beginning or end of your leave, if possible. It may be possible to carry over some of your leave and you should speak to your manager about this.

8.3. Pensions

If you're a member of a pension scheme, you'll continue to be a member during SPL.

If during any of your SPL, you're in receipt of statutory ShPP only, your pension contributions will be based on the actual pay you receive each period.

During any unpaid periods of SPL, all pension contributions will stop. You have the option to make up your pension contributions, at a later date, if you wish. If you decide to do this, we'll pay the employer contributions too.

Please contact our [Pensions Team](#) for more information.

8.4. Other Benefits

If there are any other benefits that you contribute to through a salary sacrifice arrangement, like childcare vouchers or the cycle to work scheme, you should contact our [Payroll Team](#) to find out how these may be impacted while you're on SPL.

8.5. Keeping in Touch Days

We encourage you to stay in touch with your manager during your SPL. This is so that they can keep you updated of any changes or information you need to know while you're off. You can also speak to your manager about allocating you a 'buddy' to support you before, during and after your leave. You'll find more information in our [Family Leave Buddy System Guidance](#) (staff login required).

You can also work up to 10 SPL Keeping in Touch (SPLIT) days during your leave if your manager agrees. You'll need to agree what this work will involve and when you will do it in advance with your manager. There's no obligation to work a SPLIT day.

For any SPLIT days agreed with your manager:

- when you're in receipt of enhanced UShPP - no additional payment will be made.
- when you're in receipt of statutory ShPP only - your pay will be 'topped up' to your normal hourly rate.
- During any unpaid SPL period - you'll get paid your full contractual rate of pay for the hours you work.

This means that payment for a SPLIT day won't ever be more than a normal day's pay.

Just so you're aware, even if you don't work a full day, this will still count as one of your 10 SPLIT days.

To be paid for any SPLIT days you have worked you'll need to complete a [Keeping in Touch Day Payment Form](#) (staff login required).

9. Returning to Work After Shared Parental Leave

We know that returning to work after a period of leave can be daunting, so before coming back to work, you might want to think about using a SPLIT day to discuss the arrangements for your return with your manager and how they can support you.

If you're a member of Academic or Teaching staff, you may also want to think about our [Family Friendly Research and Scholarship Leave](#). Taking this leave allows you to pause your teaching duties for three months following your return to work, enabling you to focus purely on your research or scholarship activity.

If you intend to breastfeed when you return to work, you'll find more information to support you with this in our [Breastfeeding Support Statement](#) (staff login required).

10. Further Information and Support

We know that having a baby can mean big changes in your personal life and adapting to these changes can be difficult. If you have any queries about this policy, please talk to your manager or contact [Human Resources](#).

We also have a range of [FAQs](#) (staff login required) which you may find helpful. These include a range of SPL scenarios to help you see the different ways leave and pay may be shared between parents.

11. Policy Review

This policy is reviewed by Human Resources on a regular basis. To see when the next review is due, please refer to our [Policy Review Schedule](#) (staff login required) on our People Hub.