



# SHARED LEAVE POLICY

Shared Parental Leave (SPL) Policy for Qualitrain Ltd based on the most recent guidance from the UK government:

## Shared Parental Leave (SPL) Policy

Qualitrain Ltd is committed to supporting eligible employees with their rights to take Shared Parental Leave (SPL) and receive Shared Parental Pay (ShPP) where applicable. This policy outlines how SPL operates and how it can be requested.

### Overview of Shared Parental Leave

Shared Parental Leave (SPL) allows eligible parents to share up to 50 weeks of leave and up to 37 weeks of pay between them, following the birth of a child or the adoption of a child. This leave can be taken by the birth parent, the partner, or both, and can be shared in blocks over the first year of the child's life (or the first year of placement in the case of adoption).

### Eligibility for SPL

To qualify for SPL, both parents must meet certain eligibility requirements.

#### 1. Birth Parent/Adopter:

- Must be eligible for maternity leave or maternity pay, maternity allowance, or adoption leave.
- Must have curtailed their maternity or adoption leave or pay to take SPL.

#### 2. Partner:

- Must share responsibility for the child with the birth parent or primary adopter.
- Must have worked for the same employer for at least 26 weeks by the end of the 15th week before the baby is due or by the date the child is matched for adoption.
- Must still be employed by the same employer during the first week of SPL.

#### 3. Joint Conditions:

- Both parents must provide the correct notifications to take SPL.
- Both must have earned at least £123 a week on average for 13 weeks in the 66 weeks leading up to the child's due date or adoption.

### Amount of Leave

- Eligible parents can share up to 50 weeks of leave.
- The leave must be taken within 52 weeks of the birth or adoption placement.
- SPL can be taken in blocks or all at once, and each parent can take leave at the same time or separately.
- Leave must be booked in blocks of one week or more.

### Notification and Curtailment

#### 1. Notice to End Maternity or Adoption Leave:

- The birth parent or adopter must give written notice to curtail maternity or adoption leave.

- This notice must be given at least 8 weeks before SPL can start.

## 2. Notification of SPL:

- Both parents must provide 8 weeks' notice to their employers, including:
  - How much SPL and ShPP each parent intends to take.
  - The start and end dates of SPL.
- Changes to SPL dates must also be requested at least 8 weeks in advance.

## 3. Curtailment of Maternity Leave:

- Maternity leave can only be curtailed after the 2-week compulsory maternity leave period has been taken.

## Shared Parental Pay (ShPP)

- If eligible, parents can receive Shared Parental Pay (ShPP) for up to 37 weeks.
- The rate of ShPP is either\*£172.48 per week or 90% of average weekly earnings, whichever is lower. Correct at 18/09/2024. See <https://www.gov.uk/shared-parental-leave-and-pay/eligibility-for-birth-parents> for updated rates.
- ShPP can be shared between parents, but both parents need to meet the criteria.

## How to Apply for SPL and ShPP

### 1. Initial Notification:

- Parents must inform their employer 8 weeks before the first SPL period.
- A written notice must include the total amount of leave each parent will take and a non-binding indication of how they plan to take it.

### 2. Binding Notice:

- Parents can provide a maximum of three notifications to book or amend leave dates.
- This includes the original leave request and up to two changes.

## Rights During SPL

- During SPL, employees are entitled to the same terms and conditions of employment, except pay.
- Pension contributions will continue based on the actual pay received (ShPP or otherwise).

## Returning to Work

Employees returning from SPL are entitled to return to the same job if they have been on leave for 26 weeks or less (this includes any SPL, maternity, adoption, or parental leave).

If they have been on leave for more than 26 weeks, they will still be entitled to return to the same job unless it is not reasonably practicable. In such cases, the employee may be offered a suitable alternative role on similar terms and conditions.

## Flexible Working

After returning to work, employees have the right to request flexible working arrangements under the company's Flexible Working Policy, provided they meet the eligibility criteria.

## Breach of Policy

Any attempt to breach the conditions of SPL, such as providing incorrect information or failing to meet notification deadlines, may result in disciplinary action.

For further information on SPL, employees should consult the HR team or refer to the government's guide on SPL at gov.uk/shared-parental-leave](<https://www.gov.uk/shared-parental-leave-and-pay-employer-guide>).

## **Shared Parental Leave (SPL) Procedure**

### **1. Employee Preparation:**

#### **Step 1: Gather Information**

The employee planning to take SPL must ensure they are fully informed of their rights and eligibility by reviewing the company's SPL policy and government guidelines on SPL.

#### **Step 2: Discuss Plans with Your Partner**

Both parents should agree on how to share the leave. They should discuss how many weeks of SPL and Shared Parental Pay (ShPP) each will take.

### **2. Notifying the Company:**

#### **Step 1: Provide Maternity/Adoption Leave Curtailment Notice**

The employee (birth parent or adopter) must submit a written notice to HR confirming their intention to curtail maternity or adoption leave. This notice must be given at least 8 weeks before starting SPL.

- Notice format: Email or letter
- HR will acknowledge receipt within 5 working days.

#### **Step 2: Submit the SPL Notification**

After providing the curtailment notice, the employee must submit a formal SPL request. This includes the proposed start and end dates for SPL and ShPP. The notice must be provided at least 8 weeks before the intended start date.

- This request should be submitted in writing.

#### **Step 3: Agreeing on SPL Arrangements**

HR will review the SPL request and respond within 2 weeks. If changes or adjustments are required (such as alternative dates), a discussion will take place to reach an agreement.

### **3. Confirmation and Acceptance:**

#### **Step 1: Written Confirmation**

Once the request is approved, HR will issue written confirmation of the SPL arrangements. This will outline the agreed-upon leave dates and any conditions relating to the return to work.

#### **Step 2: Recording in the Payroll System**

HR will notify payroll of the approved SPL and ShPP periods to ensure correct payments are processed. This ensures ShPP begins during the appropriate period.

### **4. Variations and Changes to SPL:**

#### **Step 1: Request Changes**

If the employee wishes to amend the start or end dates of SPL, they must provide 8 weeks' written notice before the change takes effect. Each employee is allowed three notifications to request or amend their leave.

**Step 2: Confirm Agreement**

HR will review and confirm any requested changes in writing within 2 weeks.

**5. During SPL:**

**Step 1: Maintaining Contact**

While on SPL, employees are entitled to up to 20 Keeping in Touch (KIT) days to stay connected with their work.

- Employees wishing to use KIT days should notify their manager and HR in writing.
- KIT days will not extend the SPL period.

**6. Returning to Work:**

**Step 1: Notify Return**

Employees returning after SPL are expected to resume their duties on the agreed date. If the employee wishes to return early, 8 weeks' notice must be provided to HR.

**Step 2: Flexible Working Requests**

Employees wishing to request a flexible working arrangement upon returning should submit a formal request to HR under the company's Flexible Working Policy. This request must be submitted at least 8 weeks before the intended return date.

**7. Appeals and Issues:**

**Step 1: Raise Issues with line manager**

If there are any concerns or disagreements regarding SPL requests, employees should escalate them to the HR department for review and resolution.

**Step 2: Appeal Process**

If an employee feels that their SPL request has been unreasonably refused, they may submit a formal appeal to HR within 5 working days of receiving the decision.