

Managers guide: Shared Parental Leave

Introduction

The new Shared Parental Leave regulations are very complex and the University reserves the right to revise in light of future interpretation. These arrangements must be kept flexible to adapt and are not contractual.

Shared Parental Leave (SPL) enables eligible parents to choose how to share the care of their child (or in the case of multiple births or adoptions, children) during the first year of birth or adoption. Its purpose is to give parents more flexibility in considering how to best care for, and bond with, their child. All eligible employees have a statutory right to take SPL. There may also be an entitlement to some Shared Parental Pay (ShPP). This guide should be read alongside the [Shared Parental Leave – Procedure and Guidance](#) and the [process flowchart](#).

What can employees request?

Eligible employees can request SPL for up to 50 weeks, this time can be taken in one continuous block or discontinuous blocks. Employees have the right to submit up to three separate notifications specifying leave periods.

Continuous leave

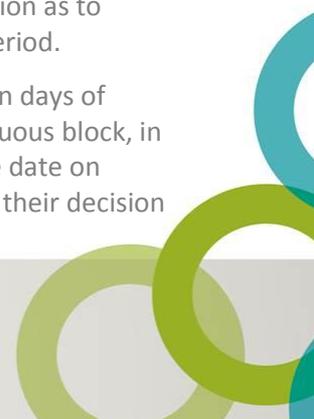
Employees can request a period of continuous leave, which means a number of weeks taken in a single unbroken period of leave (for example, six consecutive weeks).

- The University must agree to a continuous block of leave (as per maternity/adoption leave) notified in a single notification, so long as it does not exceed the total number of weeks of SPL available to them and they have given the University at least eight weeks' notice.
- Employees can submit up to three separate notifications for continuous periods of leave.

Discontinuous leave

A request can also be for two or more periods of discontinuous leave, which means asking for a set number of weeks of leave over a period of time, with breaks between the leave where the employee returns to work (for example, an arrangement where they take two months of SPL, return to work for two months and then have another period of SPL for two months).

- The University will consider these requests but they do not have to agree to them
- Where there is concern over accommodating the notification, you should arrange a meeting to discuss the notification with a view to agreeing an arrangement that meets both University's and the employee's needs. This does not have to be a physical meeting, but can be a telephone, email or skype (if appropriate). Please be aware though that you know your employees and the situation of what can be accommodated and it is your decision as to whether this is appropriate. This procedure allows for a two week discussion period.
- If the leave pattern is refused, an employee can either withdraw it within fifteen days of making the original request notification, or can take the leave in a single continuous block, in which case they should choose a start date that is at least eight weeks from the date on which they originally notified the University. They must notify the University of their decision



(in writing) within five days of the end of the two-week discussion period. If they do not notify the University then the period of leave will begin on the date on which they had requested to start their first period of SPL as a single continuous block. A notice that is withdrawn before it is agreed does not count towards the three requests they can make. Employees can submit up to three separate notifications

- All requests must be submitted to you as their line manager and copied to your [HRBP/HR Advisor](#) using either [Form PD48a or PD48b](#).

Informal conversation

We have encouraged employees to begin discussions early, especially if they are considering requesting a discontinuous period of leave.

Employee submits a Shared Parental Leave request form

Once the employee has submitted the notice of curtailment/entitlement (PD48a/b) and the booking form (PD48c) you can begin to have formal conversations. Please ensure you follow the [process flowchart](#) including any relevant dates.

If the request is for continuous leave this must be agreed and therefore a meeting may not be necessary.

Meeting to discuss the request

Why: The purpose of the meeting is to provide both parties with the opportunity to discuss the requested working arrangements in depth and consider how feasible they are. This could include discussions around alternative arrangements that might meet the needs of both parties. A meeting should only be necessary where there is a discontinuous leave request as continuous leave requests must be agreed.

Who: The meeting should be arranged by the line manager. Attendees should include: the employee making the request, the line manager, and where possible, the relevant HR Services contact.

When: The meeting should take place within the 14 days (the discussion period) of the date of the formal request at a time and date that should be convenient for all parties. If you are unable to arrange a meeting in this time, you should agree the delay with the employee.

Where: The meeting may be face to face or if all parties are happy, it can take place over the telephone, email or another way such as Lync or Skype (if appropriate).

Consider the request (discontinuous)

When looking at a discontinuous leave request, you should consider the following things:

- Important events/dates planned
- Challenging or busy periods
- How will the role be covered

- Staffing issues during the period requested
- Customer impact

It is also important to consider if you turned down a request, does the employee still have enough notifications to take the SPL as they initially wanted to? For example if the employee requested a period of 3 months on SPL, back to work for one month, on SPL for another month, back for a month and then off for a final month, they could do this by submitting three separate leave notifications of single continuous leave by giving you 8 weeks' notice each time. Therefore if the request can be taken in this manner anyway, it is arguably better to agree up front, if it includes all the leave an employee can take. However, if an employee requested every other week on and off SPL and this could not be accommodated then it should be refused as the employee would not be able to submit this working pattern as it would be more than three requests.

Practical implications for the role: consider the effect of the request if approved on workloads. Does the role need to be covered in some way during the Shared Parental Leave? If you wish to recruit a SPL fixed term cover post please discuss this with your HRBP/ HR advisor.

Practical implications for the team: consider the impact of the requested arrangement on other members of the team.

Financial implications: consider if there are any costs associated with the requested arrangements and whether there are ways that these costs can be minimised.

Grant implications: Grant implications must be discussed with the relevant Research Accounting team.

- Externally funded post – the terms and conditions of the funding agreement should be checked. For example, what are the regulations relating to this grant? Is it possible to cover the work?

Visa implications: you must discuss the visa implications of the requested arrangements with your HR Business Partner. [The International Employment Officer](#) is also available for advice.

Making a decision

As above, if the request is continuous, it must be granted. However, if the request is for discontinuous you need to take account of all the issues above. You need to ensure that you follow the timescales in the [SPL Process flowchart](#).

Confirming the arrangements

Please ensure that the details are clear and communicated to HR Services so that a letter can be sent to your employee. This letter will be copied to you. If you are requesting cover during this period it is important that HR Services know that the contracts are linked.

Contact during the period of Shared Parental Leave

Before your employee has begun their period of Shared Parental Leave, please ensure you are both clear about contact during this time. Talk to your employee to agree what kind of contact you will have. For example:

Does the employee wish to be updated about changes happening at work? If so, how would they like changes to be communicated?

Would the employee like the opportunity to attend work during their Shared Parental Leave to keep in touch, go to a particular event or take up a training opportunity?

Shared Parental Leave in Touch days (SPLIT)

Key points for SPLIT days

These days are optional and the decision to undertake a SPLIT day must be made by agreement between you and your employee (there are no rights for either the employer or the employee to require such days).

- there can be up to **20 SPLIT days per parent** taken during the period of SPL
- the type of work can be anything that you would normally do and be paid for, and could include attendance on training courses and at conferences
- they will not be paid for attending SPLIT days, nor will it be possible for the University to meet any additional childcare costs. However, for each SPLIT day, their physical return to work will be deferred by one day. For example, if they are a full time member of staff who normally works Monday-Friday, and they were due to return to work on Monday 2 November and worked 5 SPLIT days. For payroll purposes they would be treated as returning to work on Monday 2 November, but would not physically return until Monday 9 November. If, however, SPLIT days occur during the period when they are receiving ShPP, payment of ShPP will not be affected.
- any work carried out on any SPLIT day will count as one full day

By maintaining a minimal, but regular, presence during SPL - bearing in mind there is no obligation for the employee to do so – SPLIT days can offer real benefit to the employee and the University.

SPLIT days form

If your employee has taken any SPLIT days please ensure they have completed and submitted the form to HR Services **at least 2 weeks before the date they are due to return to work**. The SPLIT days must be added to the end of their leave period and cannot be taken forward or used as leave at other times.

Returning to work

You should be aware of the date your employee is due to return to work. If this date changes please liaise with HR Services to ensure they are aware.

Please see the Procedure document for details on what job they must return to.

When they return please ensure you meet with them and arrange a short induction, suitable to the length of time they have had away from the workplace. Please ensure you and they check that their annual leave is correct in trent. In particular check that any leave booked prior to going on leave and before they return is recorded correctly.

If an employee is not returning to work, again please notify HR Services as soon as possible.

If the staff member is here on a visa, ensure the [International Employment Officer](#) is aware of the return to work dates to UKVI can be informed.

Further guidance available

The following further guidance is available on the HR [Shared Parental leave](#) web pages

[Policy](#)

[Procedure and Guidance](#)

[Frequently Asked Questions](#)

[Flowchart](#)

[Forms](#)

Please speak to your [HR Business Partner/Advisor](#) for anything further or to discuss your individual circumstances.