



Shared Parental Leave Policy

Document Reference:		POL099
Document Status:		Final
Version:		V4.0
DOCUMENT CHANGE HISTORY		
Initiated by	Date	Author (s)
People Services	June 2015	HR Policy Group
Version	Date	Comments
V3.1	October 2024	Reviewed, updated, and modernised by Head of HR Policy, Risk & Projects
V3.2	15 November 2024	Reviewed by HRBP team
V3.2	9 December 2024	Reviewed and updated by HR Policy Subgroup
V3.3	9 January 2025	Approved at SPF
V4.0	27 January 2025	Approved at CRG

POL099 – Shared Parental Leave Policy

Document Reference	People Services
Recommended at Date	SPF 9 January 2025
Approved at Date	CRG 27 January 2025
Valid Until Date	31 January 2028
Equality Analysis	Completed [Date]
Linked procedural documents	Maternity Leave and Pay Policy Adoption Leave and Pay Policy Flexible Working Policy Special Leave Policy Annual Leave Policy Change Management Policy Overpayment and Underpayment of Salary / Errors Policy
Dissemination requirements	All Trust employees by intranet
Part of Trust's publication scheme	Yes

The East of England Ambulance Service NHS Trust (EEAST) has made every effort to ensure this policy does not have the effect of unlawful discrimination on the grounds of the protected characteristics of age, disability, gender reassignment, race, religion/belief, gender, sexual orientation, marriage/civil partnership, pregnancy/maternity. The Trust will not tolerate unfair discrimination on the basis of spent criminal convictions, Trade Union membership or non-membership. In addition, the Trust will have due regard to advancing equality of opportunity between people from different groups and foster good relations between people from different groups.

All Trust policies can be provided in alternative formats.

Contents

Paragraph		Page
1.	Introduction	4
2.	Purpose	4
3.	Scope	4
4.	Duties	4
5.	What is shared parental leave and pay	5
6.	When shared parental leave can start	6
7.	Eligibility for shared parental leave	6
8.	Planning shared parental leave	7
9.	Letting us know	8
10.	Eligibility for Shared Parental Pay	12
11.	If your baby is born early or prematurely	13
12.	Keeping in touch	14
13.	Return to work	15
14.	Return on flexible working arrangements	16
15.	Sickness following the end of shared parental leave	16
16.	Failure to return to work	17
17.	Contractual rights	17
18.	Fixed term contracts / training contracts	18
19.	Withdrawing the right to OShPP	19
20.	Inaccurate information / fraudulent claims	19
21.	Policy review	19
Appendices		
Appendix A	Examples of taking SPL (NHS Employers / ACAS)	20
Appendix B	Equality Impact Assessment	21
Appendix C	Monitoring Table	24

1. Introduction

- 1.1 Here at EEAST we know that having a baby through birth or surrogacy, or adopting a new child is an important and exciting time and we want to support you.
- 1.2 We recognise the importance of bonding with your child, and that shared parental leave can give you the flexibility to choose how to share the care of your child in the first year.

2. Purpose

- 2.1 The purpose of the policy is to provide guidance to you and your line manager and outline your rights, including where eligible:
 - your entitlement to shared parental leave and pay,
 - how and when you need to let us know, and
 - how your pay and terms and conditions are affected during your shared parental leave.
- 2.2 This policy is designed to be inclusive of all employees who are becoming parents.
- 2.3 Shared parental leave should not be confused with (ordinary) parental leave, which is the separate entitlement to up to 18 weeks' unpaid leave. For further details, please refer to our Special Leave Policy.

3. Scope

- 3.1 This policy applies to all eligible EEAST employees who have responsibility for bringing up a child, i.e., whether they are the mother or the biological and/or adoptive father, nominated carer, or the spouse of the mother / father.
- 3.2 This policy does not apply to casual workers, agency workers or volunteers.

4. Duties

- 4.1 **Managers** are responsible for:
 - actioning requests for shared parental leave in accordance with this policy and in a way that does not discriminate,
 - informing the HR representative as soon as practicable.

- 4.2 **Employees** requesting shared parental leave are responsible for:
- complying and acting in accordance with the procedures and timescales outlined in this policy,
 - informing their line manager of any changes in line with the notice periods outlined in this policy.
- 4.3 **HR and Trade Union Representatives** are responsible for providing advice and guidance to employees on the application of this policy.

5. What is shared parental leave and pay

- 5.1 If you and your partner are eligible (see **Section 7**) and you are sharing responsibility for a child you can take shared parental leave (SPL) in the first year after:
- the birth of your child,
 - fostering a child who you are planning to adopt,
 - adopting a child,
 - getting a parental order if you have a child through surrogacy.
- 5.2 The birth parent or primary adopter can take up to 52 weeks of statutory maternity or adoption leave, and up to 39 weeks of statutory maternity or adoption pay. They must take a minimum of 2 weeks' leave after the birth or adoption.
- 5.3 You can therefore share up to 50 weeks of SPL and up to 37 weeks of shared parental pay (ShPP) between you. How much you can share depends on how much maternity / adoption leave and pay has already been taken.

SPL must be taken in blocks of at least one calendar week and must be taken within the first 52 weeks following the birth or placement of your child.

- 5.4 **Examples of how shared parental leave can be used**
- The birth parent or primary adopter returns to work early from maternity or adoption leave and take SPL at a later date,
 - The birth parent or primary adopter returns to work and their partner takes SPL,

- Both parents are off at the same time,
- Both parents share SPL evenly and are off at different times,
- Both parents return to work at the same time and take SPL at a later date.

6. When shared parental leave can start

6.1 To create an entitlement for you to share SPL and/or ShPP, the birth parent or primary adopter must:

- return to work, which ends any maternity or adoption leave and pay, or
- give their employer 'binding notice' of the date when they plan to end their leave and pay. (They cannot normally change the date they give in binding notice).

6.2 You can start SPL while your partner is still on maternity or adoption leave as long as they have given binding notice to end it (see **Section 9**).

If you are entitled to Paternity (New Parent Support) leave, you must take this before taking SPL or you will lose it.

6.3 If you change your mind

6.3.1 If you are the birth parent or primary adopter you cannot restart maternity or adoption leave once you have returned to work.

6.3.2 If you have given binding notice to end it (see **Section 9**), you may be able to change your decision if the planned end date has not passed, you have not already returned to work, and one of the following also applies:

- notice was given before the birth of your child, and you withdraw your notice in writing within six weeks of the child's birth or adoption placement start date,
- the other parent dies,
- you find out during the notice period that neither of you is eligible for ShPL nor ShPP.

7. Eligibility for shared parental leave (SPL)

7.1 To qualify for SPL you must share the main responsibility for the care of the child with your partner (including spouse, civil partner, joint adopter, or a person you are in a long-term relationship with), and each of the following criteria must also be met:

- you or your partner must be eligible for maternity pay or leave, adoption pay or leave, or Maternity Allowance,
- you have at least 26 weeks' continuous employment with us by the end of the qualifying week, i.e., the 15th week before your baby is due / your adoption match date,
- you remain in continuous employment with us until the week before any period of SPL that you take,
- you have given the relevant notice and provided the requested evidence set out in this policy.

7.1.1 In addition, your partner must:

- have been employed or been a self-employed earner for at least 26 of the 66 weeks immediately before the expected week of childbirth, or adoption match date (the 26 weeks do not need to be in a row),
- have earned at least £30 a week in any 13 of those 66 weeks (£390 in total). You can add up the highest paying weeks – they do not need to be in a row.

7.2 If your partner is a self-employed earner, they will not be eligible for SPL or ShPP. However, if they meet the criteria above, this may still allow you to take SPL and ShPP.

If you are not sure if you qualify you can use the government online calculator to [check if you can get shared parental leave and pay.](#)

8. Planning shared parental leave

8.1 Single blocks of leave (continuous leave)

8.1.1 You can book up to three separate blocks of SPL, for example, six weeks in a row instead of taking it all in one go. If your partner is also eligible for SPL, you can take up to three blocks of leave each. You can take the leave at different times or both at the same time.

- 8.1.2 Provided your request does not exceed the total number of weeks of SPL available to you, and you have given at least eight weeks' notice, your line manager will approve your request.

Where eligible, requests for continuous leave cannot be refused.

- 8.1.3 **Appendix A** provides NHS Employers guidance and ACAS examples of taking continuous leave.

8.2 **Separate blocks of leave (discontinuous leave)**

- 8.2.1 Where it is operationally practicable, you can request to take blocks of leave of at least one week which are separated by periods of work. Before deciding on this type of leave, you and your line manager should talk about it first and make sure it will work for both you and EEAST.

- 8.2.2 When you complete your notification form, you must let us know that you want to discuss taking separate blocks of leave (**see Section 9**).

We will consider your request for discontinuous leave, but we reserve the right to refuse it (see Section 9.6)

- 8.2.3 **Appendix A** provides NHS Employers guidance and ACAS examples of taking separate blocks of leave.

9. **Letting us know**

9.1 **Maternity / Adoption Leave Binding Notice**

- 9.1.1 If you are the mother or primary adopter, you must give your line manager a **Maternity / Adoption Leave Binding Notice Form (POL099-01)**, unless you have already returned to work. This is to confirm the date on which you intend to end your maternity / adoption leave.

- 9.1.2 Your notice must be received at least eight weeks before you or your partner intend to start the first period of SPL.

- 9.1.3 If you wish to revoke your binding notice, and you meet the criteria at **Section 6.3**, you must complete a **Notification to Revoke Maternity / Adoption Leave Binding Notice Form (POL099-06)** and submit to your line manager.

9.2 **Notice of entitlement**

POL099 – Shared Parental Leave Policy

- 9.2.1 You are encouraged to let your line manager know that you are intending to take SPL as soon as you feel comfortable to. This is so that, where applicable, an informal discussion can take place to talk about your plans and to offer support. An HR representative may also provide advice at this stage.
- 9.2.2 To receive your entitlements, you must give your line manager a notice of entitlement at least eight weeks before you intend to start the first period of leave. This is to declare that you are entitled to SPL and confirm that you intend to take it.
- 9.2.3 Depending on whether you are the mother / primary adopter or the partner, you should do this by completing and submitting one of the following forms:
- **Shared Parental Leave Entitlement Form for a mother / primary adopter (POL099-02), or a**
 - **Shared Parental Leave Entitlement Form for a partner (POL099-03).**
- 9.2.4 These forms contain declarations that must be signed by both you and your partner.

If you have already planned your dates, you can submit a notice(s) to take SPL at the same time as your entitlement form (see Section 9.4).

9.3 Further evidence of eligibility

- 9.3.1 Depending on your individual circumstances, you should also include the following relevant information with your entitlement form:
- the name and address of your partner's employer (where they are no longer employed, or they are self-employed, you should include their contact details instead),
 - a copy of the child's birth certificate,
 - documentary evidence of the name and address of the adoption agency, the date on which you were notified of being matched with the child and the expected / actual placement date.

9.4 Notice to take SPL

- 9.4.1 When letting us know about SPL you wish to take, you must:

POL099 – Shared Parental Leave Policy

- complete a **Shared Parental Leave Notification Form (POL099-04)**,
- take SPL in blocks of full weeks (for example, if the first day of leave is Tuesday, the last day would be a Monday),
- include the start and end dates of any blocks of leave,
- submit the form to your line manager at least eight weeks before any period of SPL is due to start.

If you have already decided the pattern of SPL that you would like to take, you can provide more than one notice at the same time.

9.4.2 You are eligible to submit up to three separate notification forms. These can be to take either single blocks of leave (continuous), take separate blocks of leave (discontinuous), or to change the dates of any booked leave. You should refer to **Section 8** for the different blocks of leave that can be requested.

9.4.3 You do not have to complete separate notification forms for each block of SPL. However, to avoid confusion, notices for continuous and discontinuous leave should be on separate notification forms.

9.4.4 Your line manager will consider more than three notices if you provide them at least eight weeks' notice before any period of SPL. For example, where you would like to change the dates, or where agreement has not been reached for taking discontinuous SPL.

You must also let your line manager know immediately if at any time you are no longer eligible for SPL.

9.5 Discussions regarding discontinuous leave

9.5.1 From the date you submit a notification form to your line manager for discontinuous leave, a 14-calendar day discussion period will start. Your line manager will arrange an informal meeting to be held with you during this period, wherever reasonably practicable, and an HR representative may also attend to provide advice.

You can ask a work colleague or a trade union representative to attend the meeting with you.

9.5.2 The purpose of the meeting is to:

- look at the requested pattern of leave,

POL099 – Shared Parental Leave Policy

- weigh up the potential benefits to you and to EEAST, together with any adverse impact to service needs,
- consider how the leave proposal could be agreed,
- discuss whether possible alternatives would be agreeable to you and EEAST.
- let you know a decision verbally first and followed up in writing (see **Section 9.7**).

9.5.3 Each request will be considered on a case-by-case basis. Agreeing to one request will not set a precedent for a similar pattern to be approved for another employee.

9.5.4 Where your line manager is unable to approve your requested pattern or agree an alternative, they will explain their reasons for a refusal. This could be for example, where it is not suitable for the workplace.

9.6 **If agreement has not been reached for discontinuous leave**

9.6.1 In instances where discontinuous leave has been refused and an alternative period has not been agreed during your informal meeting, the combined weeks of SPL requested may be taken as a continuous block instead.

9.6.2 If a date is not agreed during the meeting, you must let your line manager know within seven calendar days what date your leave will now start. Your SPL cannot start sooner than eight weeks from the date your original notification was submitted.

9.6.3 If you do not let your line manager know a date within seven calendar days, your SPL will commence on the start date of the first period of discontinuous leave that was originally applied for.

9.7 **Confirmation of SPL to be taken**

9.7.1 Within 28 days of receiving your notification form(s) your line manager will respond in writing, or liaise with HR for a response, confirming:

- your paid and unpaid shared parental leave entitlements,
- your confirmed leave pattern, including start and end dates for each block of SPL,

POL099 – Shared Parental Leave Policy

- confirmation of the notice period to be given if you want to amend agreed blocks of leave,
- the length of any period of accrued annual leave which it has been agreed for you to take at the end of SPL.

9.7.2 Your line manager will complete an HR2a form(s) to confirm the dates of each period of SPL to be taken. You and your line manager must authorise the form prior to your line manager submitting it to HR Payroll Forms.

Your line manager and HR representative will liaise with payroll to establish the best method of submitting HR2a forms where separate periods of SPL are being taken, for example discontinuous leave.

9.7.3 If you are taking a block(s) of SPL of 6 weeks or more, your line manager will also forward you a copy of a **Shared Parental Leave Support Plan (POL099-05)**, or you can access this yourself on the intranet.

If you feel you would benefit with having a support plan for a period of less than 6 weeks, you can discuss this with your line manager.

10. Eligibility for Shared Parental Pay

10.1 It is up to you and your partner to decide who is paid the ShPP and how it is allocated between you. If you intend to receive ShPP, you should let us know at the same time that you submit your SPL Entitlement Form at **Section 9**.

10.2 In addition to meeting the eligibility requirements for SPL, to be eligible for shared parental pay, the birth parent or primary adopter must have reduced their maternity / adoption pay period or maternity allowance period (see **Section 5 and Section 6**).

10.3 Statutory Shared Parental Pay

10.3.1 Any Statutory Shared Parental Pay (ShPP) during shared parental leave will be paid at a rate set by the Government for the relevant tax year, or at 90% of your average weekly earnings (whichever is the lower).

10.4 NHS Occupational Shared Parental Pay

10.4.1 You may be entitled to Occupational Shared Parental Pay (OShPP) if you also meet both the following conditions:

POL099 – Shared Parental Leave Policy

- you have 12 months continuous service with one or more NHS employer at the beginning of the qualifying week (see **Section 7**),
- you intend to return to work on contracted hours, with EEAST or another NHS employer, for a minimum of 3 months after your shared parental leave has ended.

10.4.2 The maximum entitlement of an eligible couple to OShPP will be as set out in Table 1 and will only apply where either parent has not already received statutory or occupational maternity pay, maternity allowance or statutory or occupational adoption pay in respect of the child.

10.4.3 Where any pay (excluding during the compulsory two-week maternity/adoption leave period) has been received by either parent, the maximum joint entitlement in Table 1 will reduce proportionate to the amount of maternity or adoption pay which has either been taken and paid to either parent or notified as intending to be taken by either parent.

10.4.4 The rate of OShPP is included in Table 1:

Table 1		
Weeks	Pay	Duration
1-2	Not applicable – this is the compulsory maternity / adoption leave period	2 weeks
3-8	Full pay (less any ShPP receivable)	6 weeks
9-26	Half of full pay, plus any ShPP receivable (this will not exceed full pay)	18 weeks
27-39	Any ShPP entitlements under the statutory scheme	13 weeks
40-52	Unpaid	13 weeks

10.4.5 As shared parental leave and pay is a joint entitlement, EEAST will not pay more than 26 weeks (made up of 8 weeks' full pay, including the two weeks' compulsory leave, and 18 weeks' half pay) to employees accessing occupational maternity, adoption or shared parental pay in aggregate to an eligible couple. This is irrespective of whether one or both parents are NHS employees.

11. If your baby is born early or prematurely

- 11.1 If your baby is born more than 8 weeks early, you do not need to give the usual 8 weeks' notice to book or change SPL dates, however you should let us know in accordance with **Section 9** as soon as you can.

12. Keeping in touch

- 12.1 As part of your Shared Parental Leave Support Plan and before going on SPL you should discuss and agree with your line manager any arrangements for keeping in touch. This may include:
- any voluntary arrangements that may help you keep in touch with developments at work, and nearer the time, to help facilitate your return,
 - keeping your line manager in touch with any developments that may affect your intended date of return.
- 12.2 Shared Parental Leave in Touch (SPLiT) days are intended to facilitate a smooth return to work, and you may each work up to a maximum of 20 SPLiT days as follows:
- they will not bring your SPL to an end or extend your SPL period(s),
 - they are in addition to the 10 KIT days available to those on maternity or adoption leave,
 - they can be worked consecutively or not, and can include training or other activities which enable you to keep in touch with the workplace,
 - they cannot be worked during the first two weeks of maternity or adoption leave,
 - working for part of a day will count as one SPLiT Day, i.e., attending a training course for two hours will be classed as using one SPLiT Day,
 - you will be paid equivalent to full pay for the actual hours worked, less any applicable occupational or statutory maternity / adoption / shared parental leave payments. Your line manager will arrange for an HR2a form to be completed. Once you have signed this, your line manager will authorise and send to HR Support Services to arrange payment,

- if you work a SPLiT Day in the full pay period, your line manager will make arrangements to add the total number of hours worked to your GRS record (time owing) to be taken once you have returned to work,
- if you work a SPLiT Day in the half pay period, your line manager will make arrangements to add half of the total number of hours worked to your GRS record (time owing) to be taken once you have returned to work.

13. Return to work

- 13.1 You have the right to return to your job under your original contract and on no less favourable terms and conditions.
- 13.2 If you intend to return to work at the end of your shared parental leave, you will not be required to give any further notification to your line manager.
- 13.3 If you wish to return to work any earlier, you must provide notice to your line manager in writing, e.g., via email, giving at least 8 weeks' notice of your amended return date.
- 13.4 Your line manager will arrange completion of an HR2a form to confirm your return from SPL. This may be discussed as part of your pre-return-to-work meeting, where you have a Shared Parental Leave Support Plan. Once you have signed this, your line manager will authorise and submit to HR Support Services. If this is not completed and submitted by the payroll cut-off date, it may result in a delay to your salary being reinstated.

Your line manager and HR representative will liaise with payroll to establish the best method of submitting HR2a forms where separate periods of SPL are being taken, for example discontinuous leave.

- 13.5 If you do not intend to return to work, for EEAST or another NHS employer, for a minimum of three months after your shared parental leave has ended, you may still be entitled to ShPP.

14. Return on Flexible Working Arrangements

- 14.1 If you wish to return to work on different hours, please discuss this with your line manager, for example as part of your Shared Parental

Leave Support Plan and submit a request under our Flexible Working Policy. Your line manager will facilitate this, wherever possible.

The process can take two months to complete, sometimes longer, so please allow sufficient time for your flexible working request to be considered prior to your return to work.

- 14.2 If it is agreed that you will return to work on a flexible basis, including changed or reduced hours, for an agreed temporary period, this will not affect your right to return to your job under your original contract, at the end of the agreed period.
- 14.3 If it is not possible to agree your request, your line manager will provide you with written, objectively justifiable reasons and an opportunity to appeal against the decision.
- 14.4 A refusal of a flexible working request does not affect your right to return to your job under your original contract, or to return to work on the same pay band and work of a similar nature and status (with the requested reduced hours).

15. Sickness following the end of shared parental leave

- 15.1 If you are absent due to sickness following the date you were due to return to work, normal sickness absence provisions will apply as necessary and in line with our Attendance and Sickness Absence Policy.

16. Failure to return to work

- 16.1 If you notified us of your intention to return to work and you fail to return to EEAST or a different NHS employer within three months of the end of your shared parental leave, and for a total of three months, you will be liable to refund the whole of any occupational maternity, adoption, and/or shared parental pay, less any Statutory Maternity, Adoption or Shared Parental Pay received.
- 16.2 If you return to a different NHS employer, HR will liaise with Finance, and the employer will be informed of this financial obligation and asked to provide evidence to support the compliance of this requirement.

- 16.3 In exceptional circumstances, we may waive the right to recover OShPP where this would cause extreme hardship or distress. Authorisation to do this would require the agreement of the Director of Finance.
- 16.4 For those on fixed-term contracts, where there is no right of return to be exercised because the contract would have expired if shared parental leave had not occurred, the repayment provisions set out in **Section 16.1** do not apply.

17. Contractual rights

- 17.1 Shared Parental Leave does not constitute a break in service, and all the terms and conditions of your contract except pay will continue. Your pay will be replaced with OShPP and/or ShPP if you are eligible for it. Your other benefits will continue as set out below.
- 17.2 **Pay Band Progression**
- 17.2.1 While on shared parental leave you will progress through your pay step on the date the pay step is due unless a pay-step review meeting has taken place prior to the commencement of shared parental leave which confirmed that the required standards for pay progression would not be met.
- 17.2.2 If a pay-step review cannot be held prior to your pay-step date the pay-step point should be automatically applied in your absence.
- 17.3 **Accrual of annual leave**
- 17.3.1 You will continue to accrue your contractual annual leave entitlement during your shared parental leave.
- 17.3.2 You should make every effort to take any outstanding annual leave before commencing shared parental leave or immediately after your shared parental leave has ended. The amount of annual leave to be taken in this way, or carried over, should be discussed, and agreed with your line manager as part of your Shared Parental Leave Support Plan.
- 17.3.3 Payment in lieu may be considered as an option where accrual of annual leave exceeds normal carry over provisions, providing this would not cause a breach of the Working Time Regulations 1998.
- 17.4 **Pension**

17.4.1 Pension rights and contributions shall be dealt with in accordance with the provisions of the NHS Pension Scheme Regulations.

17.5 **Lease car**

17.5.1 If you have a lease car you are contractually entitled to retain this benefit during shared parental leave and will still be deducted pay for private use. If you drop to no pay during shared parental leave, the deductions will be accumulated and recovered with higher deductions from pay when you return to work.

17.5.2 If you lease a vehicle through EEAST you should speak to Finance to confirm your current arrangements, and also seek your own advice regarding personal tax / any HMRC rules and tax implications prior to commencing shared parental leave.

18. **Fixed-term contracts / training contracts**

18.1 If you are on a fixed-term or training contract and you are eligible for OShPP, but your contract will expire after:

- the 11th week before the expected week of childbirth / date of matching, or
- the 15th week before the baby's due date if applying via a surrogacy arrangement,

your contract will be extended to enable you to receive up to 50 weeks shared parental leave (including OShPP and ShPP).

You will not have any entitlement to a role with EEAST at the end of your shared parental leave unless you have been selected for another role through a competitive interview.

18.2 If you are on a fixed-term or training contract and you do not meet the twelve months continuous service requirement for OShPP, you may still be eligible for ShPP. You should contact your line manager / HR representative for advice in this situation.

19. **Withdrawing the right to OShPP**

19.1 You are only entitled to OShPP whilst you are employed by EEAST. If your employment comes to an end, during the qualifying period or during shared parental leave, so does your entitlement to OShPP. An example of this would be dismissal.

- 19.2 This does not prevent you claiming ShPP if you have met the qualifying conditions.

20. Inaccurate information / fraudulent claims

- 20.1 You must ensure that all information that you provide is accurate. Where inaccurate information is provided that leads to overpayment of statutory or occupational entitlements, your line manager and HR representative will arrange to reclaim any overpayment.
- 20.2 Where there is a suspicion that deliberately inaccurate information has been provided, or where EEAST has been informed by the HMRC that a fraudulent claim was made, this may be investigated and action may be taken in accordance with the relevant policy(s), for example Local Counter Fraud / HR Liaison Policy, Anti-Fraud and Bribery Policy, Disciplinary Policy.

21. Policy review

- 21.1 This policy will be reviewed on a three yearly basis or amended in the light of new employment legislation and/or relevant case law.

Appendix A – Examples of taking SPL

[NHS Employers shared parental leave guidance](#) provide various scenarios illustrating how occupational shared parental leave and pay should work:

ACAS Example of taking continuous leave

Alex and their partner Jo decide to take 20 weeks of SPL each. Jo gives their employer one notice to take all 20 weeks of their leave in one block.

Alex wants to take three blocks of certain dates off work over the year. To make sure Alex gets the dates they want, Alex gives their employer three continuous leave notices:

- one notice to take 10 weeks of leave from 1 January to 11 March,
- a second notice to take five weeks from 1 May to 4 June,
- a third notice to take five weeks from 1 August to 4 September.

This makes clear to their employer that Alex's notices are for continuous leave and cannot be refused.

ACAS Example of taking discontinuous leave

Bo has 20 weeks of SPL available, but has some important projects coming up at work, so agrees with their partner to take discontinuous leave.

Bo gives their employer one notice to take discontinuous leave, requesting to take 2 weeks off, 2 weeks at work until they have used the 20 weeks' entitlement.

Bo's employer agrees to the arrangement as it keeps Bo up to date with the projects.

ACAS Example of combining continuous and discontinuous leave

A mother finished her maternity leave at the end of October and takes the rest of her leave as SPL. She shares it with her partner, who is also eligible. They each take the whole of November as their first blocks of SPL (continuous). The partner then returns to work.

The mother also returns to work in December. She gives her employer notice that she'll go on leave again in February - this is her second block of SPL. Her employer agrees to a work pattern of 2 weeks on, 2 weeks off during the block (discontinuous).

Appendix B

Equality Impact Assessment

EIA Cover Sheet			
Name of process/policy	Shared Parental Leave Policy		
Is the process new or existing? If existing, state policy reference number	Existing (POL099)		
Person responsible for process/policy	HR		
Directorate and department/section	People Services		
Name of assessment lead or EIA assessment team members	HR Policy Subgroup		
Has consultation taken place? Was consultation internal or external? (please state below):	Internal consultation through HR Policy Subgroup members		
The assessment is being made on:	Guidelines		
	Written policy involving staff and patients	X	
	Strategy		
	Changes in practice		
	Department changes		
	Project plan		
	Action plan	X	
	Other (please state)		

Equality Analysis																					
<p>What is the aim of the policy/procedure/practice/event?</p> <p>This policy aims to provide guidance to employees and their line manager and outline their rights, including where eligible to shared parental leave and pay, how and when they need to let us know, and how their pay and terms and conditions are affected during shared parental leave.</p>																					
<p>Who does the policy/procedure/practice/event impact on?</p> <table border="0"> <tr> <td>Race</td> <td><input type="checkbox"/></td> <td>Religion/belief</td> <td><input type="checkbox"/></td> <td>Marriage/Civil Partnership</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Gender</td> <td><input type="checkbox"/></td> <td>Disability</td> <td><input type="checkbox"/></td> <td>Sexual orientation</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Age</td> <td><input type="checkbox"/></td> <td>Gender re-assignment</td> <td><input type="checkbox"/></td> <td>Pregnancy/maternity</td> <td><input type="checkbox"/></td> </tr> </table>				Race	<input type="checkbox"/>	Religion/belief	<input type="checkbox"/>	Marriage/Civil Partnership	<input type="checkbox"/>	Gender	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Sexual orientation	<input type="checkbox"/>	Age	<input type="checkbox"/>	Gender re-assignment	<input type="checkbox"/>	Pregnancy/maternity	<input type="checkbox"/>
Race	<input type="checkbox"/>	Religion/belief	<input type="checkbox"/>	Marriage/Civil Partnership	<input type="checkbox"/>																
Gender	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Sexual orientation	<input type="checkbox"/>																
Age	<input type="checkbox"/>	Gender re-assignment	<input type="checkbox"/>	Pregnancy/maternity	<input type="checkbox"/>																
<p>Who is responsible for monitoring the policy/procedure/practice/event? HR</p>																					
<p>What information is currently available on the impact of this policy/procedure/practice/event?</p> <p>Having reviewed and updated the policy and completed a full consultation process, no negative impact was raised, and with the evidence available there is no negative impact.</p>																					
<p>Do you need more guidance before you can make an assessment about this policy/procedure/ practice/event? No</p>																					
<p>Do you have any examples that show that this policy/procedure/practice/event is having a positive impact on any of the following protected characteristics? Yes/No, if yes please provide evidence/examples:</p> <table border="0"> <tr> <td>Race</td> <td><input type="checkbox"/></td> <td>Religion/belief</td> <td><input type="checkbox"/></td> <td>Marriage/Civil Partnership</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Gender</td> <td><input type="checkbox"/></td> <td>Disability</td> <td><input type="checkbox"/></td> <td>Sexual orientation</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Age</td> <td><input type="checkbox"/></td> <td>Gender re-assignment</td> <td><input type="checkbox"/></td> <td>Pregnancy/maternity</td> <td><input type="checkbox"/></td> </tr> </table> <p>Please provide evidence:</p> <p>This policy is designed to be inclusive of all eligible employees who would like to either give binding notice to end their maternity / adoption leave so that the</p>				Race	<input type="checkbox"/>	Religion/belief	<input type="checkbox"/>	Marriage/Civil Partnership	<input type="checkbox"/>	Gender	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Sexual orientation	<input type="checkbox"/>	Age	<input type="checkbox"/>	Gender re-assignment	<input type="checkbox"/>	Pregnancy/maternity	<input type="checkbox"/>
Race	<input type="checkbox"/>	Religion/belief	<input type="checkbox"/>	Marriage/Civil Partnership	<input type="checkbox"/>																
Gender	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Sexual orientation	<input type="checkbox"/>																
Age	<input type="checkbox"/>	Gender re-assignment	<input type="checkbox"/>	Pregnancy/maternity	<input type="checkbox"/>																

remaining weeks can be taken as shared parental leave, or for eligible employees who are the partner to give notice to take shared parental leave.

Are there any concerns that this policy/procedure/practice/event could have a negative impact on any of the following characteristics? Yes/No, if so, please provide evidence/examples: **No**

Race	<input type="checkbox"/>	Religion/belief	<input type="checkbox"/>	Marriage/Civil Partnership	<input type="checkbox"/>
Gender	<input type="checkbox"/>	Disability	<input type="checkbox"/>	Sexual orientation	<input type="checkbox"/>
Age	<input type="checkbox"/>	Gender re-assignment	<input type="checkbox"/>	Pregnancy/maternity	<input type="checkbox"/>

Please provide evidence:

Having reviewed and updated the policy and completed a full consultation process, no negative impact was raised, and with the evidence available there is no negative impact.

Action Plan/Plans – SMART

Specific

Measurable

Achievable

Relevant

Time Limited

Evaluation Monitoring Plan/how will this be monitored?

Who – see Monitoring Table

How

By

Reported to

Appendix C - Monitoring Table

What	Who	How	Frequency	Evidence	Reporting arrangements	Acting on recommendations	Change in practice and lessons to be shared
Audit of employee experience, including applications and outcomes, to ensure that the policy is being applied consistently, fairly and accurately for all.	Head of HR People Partnering	Monitor GRS, ESR and ER Tracker data	Annually	GRS, ESR and/or ER tracker reports	Reported to and discussed at People Committee where required	Head of HR People Partnering will address any actions or changes required.	Any change in practice will be identified and: <ul style="list-style-type: none"> • process updated with HR People Partnering team • HRBP / line manager training implemented • policy updated where required.