

Shared Parental Leave

1. About this Policy

This policy outlines the arrangements for shared parental leave and pay in relation to the birth of a child. If you are adopting a child, please request the details of the Shared Parental Leave (Adoption) Policy from People & Purpose department. This policy applies to employees, it does not apply to agency workers or self-employed contractors. This policy does not form part of any employee's contract of employment and we may amend it at any time. For help and support on completing the documentation connected with this policy or to discuss your entitlements in further detail, please contact your People and Purpose.

2. Definitions

Expected week of childbirth: the week, beginning on a Sunday, in which the doctor or midwife expects your child to be born.

Parent: One of two people who will share the main responsibility for the child's upbringing (and who may be either the mother, the father, or the mother's partner if not the father).

Partner: your spouse, civil partner or someone living with you in an enduring family relationship, but not your sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew.

Qualifying week: the fifteenth week before the Expected Week of Childbirth.

3. What is Shared Parental Leave?

Shared Parental Leave is a form of leave which gives you and your partner more flexibility in how to share the care of your child in the first year after birth than simply taking maternity and paternity leave. Assuming you are both eligible, you will be able to choose how to split the available leave between you, and can decide to be off work at the same time or at different times. You may be able to take leave in more than one block.

4. Entitlement to Shared Parental Leave (SPL)

You are entitled to Shared Parental Leave in relation to the birth of a child if:

- a) you are the child's mother, and share the main responsibility for the care of the child with the child's father or with your partner;
- b) you are the child's father and share the main responsibility for the care of the child with the child's mother; or
- c) you are the mother's partner and share the main responsibility for the care of the child with the mother (where the child's father does not share the main responsibility with the mother).

The following conditions must also be fulfilled:

- a) you must have at least 26 weeks continuous employment with us by the end of the Qualifying Week, and still be employed by us in the week before the leave is to be taken;
- b) the other parent must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the Expected Week of Childbirth and had average weekly earnings of at least £30 during 13 of those weeks; and
- c) you and the other parent must give the necessary statutory notices and declarations as summarised below, including notice to end any maternity

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leave, statutory maternity pay or maternity allowance periods.

The total amount of Shared Parental Leave available is 52 weeks, less the weeks spent by the child's mother on maternity leave (or the weeks in which the mother has been in receipt of statutory maternity pay or maternity allowance if she is not entitled to maternity leave).

If you are the mother, you cannot start Shared Parental Leave until after the compulsory maternity leave period, which lasts until two weeks after birth.

If you are the child's father or the mother's partner, you should consider using your two weeks' paternity leave before taking Shared Parental Leave. Once you start Shared Parental Leave you will lose any untaken paternity leave entitlement. Shared Parental Leave entitlement is additional to your paternity leave entitlement.

5. Opting in to Shared Parental Leave

Not less than eight weeks before the date you intend your Shared Parental Leave to start, you must give us a written [Opt-In Notice](#) giving:

- a) your name and the name of the other parent;
- b) if you are the child's mother, the start and end dates of your maternity leave;
- c) if you are the child's father or the mother's partner, the start and end dates of the mother's maternity leave, or if she is not entitled to maternity leave, the start and end dates of any statutory maternity pay or maternity allowance period;
- d) the total amount of Shared Parental Leave available is 52 weeks, less the weeks spent by the child's mother on maternity leave (or the weeks in which the mother has been in receipt of statutory maternity pay or maternity allowance if she is not entitled to maternity leave);
- e) how many weeks of the available Shared Parental Leave will be allocated to you and how many to the other parent (you can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
- f) if you are claiming Statutory Shared Parental Pay, the total Statutory Shared Parental Pay available, which is 39 weeks minus the number of weeks of statutory maternity pay or maternity allowance taken or to be taken;
- g) how many weeks of available Statutory Shared Parental Pay will be allocated to you and how much to the other parent. (You can change the allocation by giving us a further written notice, and you do not have to use your full allocation);
- h) an indication of the pattern of leave you are thinking of taking, including suggested start and end dates for each period of leave. This indication will not be binding at this stage, but please give as much information as you can about your future intentions. Note that the dates on which you take your Shared Parental Leave, can have a bearing on whether Company Enhanced Shared Parental Pay (Company Enhanced Shared Parental Pay) is payable (see paragraph 13 for information on Statutory Shared Parental Pay and Company Enhanced Shared Parental Pay); and
- i) declarations by you and the other parent that you both meet the statutory conditions to enable you to take Shared Parental Leave and Statutory Shared Parental Pay.

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6. Ending your Maternity Leave (if you are the child's mother)

If you are the child's mother and want to opt into the Shared Parental Leave scheme, you must give us at least eight weeks' written notice to end your maternity leave (a **Curtailment Notice**) before you can take Shared Parental Leave. The notice must state the date your maternity leave will end. You can give the notice before or after you give birth, but you cannot end your maternity leave until at least two weeks after birth.

You must also give us, at the same time as the curtailment notice, a notice to opt into the Shared Parental Leave scheme (see paragraph 5) or a written declaration that the other parent has given their employer an opt-in notice and that you have given the necessary declarations in that notice.

The other parent may be eligible to take Shared Parental Leave from their employer before your maternity leave ends, provided you have given the curtailment notice.

The curtailment notice is binding and cannot usually be revoked. You can only revoke a curtailment notice if maternity leave has not yet ended and one of the following applies:

- a) if you realise that neither you nor the other parent are in fact eligible for Shared Parental Leave or Statutory Shared Parental Pay, in which case you can revoke the curtailment notice in writing up to eight weeks after it was given;
- b) if you gave the curtailment notice before giving birth, you can revoke it in writing up to six weeks after birth; or
- c) if the other Parent has died.

Once you have revoked a curtailment notice you will be unable to opt back into the Shared Parental Leave scheme, unless paragraph 6a) applies.

7. Ending your partner's Maternity Leave or pay (If you are not the mother)

If you are not the mother, but the mother is still on maternity leave or claiming statutory maternity pay or maternity allowance, you will only be able to take Shared Parental Leave once she has either

- a) returned to work;
- b) given her employer a curtailment notice to end her maternity leave;
- c) given her employer a curtailment notice to end her statutory maternity pay (if she is entitled to statutory maternity pay but not maternity leave); or
- d) given the benefits office a curtailment notice to end her maternity allowance (if she is not entitled to maternity leave or statutory maternity pay).

8. Evidence of entitlement

You must also provide on request:

- a) A copy of the birth certificate (or if you have not yet obtained a birth certificate, a signed declaration of the child's date and place of birth); and
- b) The name and address of the other Parent's employer (or a declaration that they have no employer).

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9. Booking your Shared Parental Leave dates

Having opted into the Shared Parental Leave system, you must book your leave by giving us a Period of Leave Notice. This may be given at the same time as the opt-in notice or later, provided it is at least eight weeks before the start of Shared Parental Leave.

The period of leave notice can either give the dates you want to take leave or, if the child has not been born yet, it can state the number of days after birth that you want the leave to start and end. This may be particularly useful if you intend to take paternity leave starting on the date of birth and wish to take Shared Parental Leave straight afterwards.

Leave must be taken in blocks of at least one week.

If your period of leave notice gives a single continuous block of Shared Parental Leave you will be entitled to take the leave set out in the notice.

If your period of leave notice requests split periods of Shared Parental Leave, with periods of work in between, we will consider your request as set out in paragraph below.

Note that the dates on which you take Shared Parental Leave, can have a bearing on whether Company Shared Parental Pay is payable (see paragraph 13 for information on Statutory Shared Parental Pay and Company Shared Parental Pay).

You can give up to three period of leave notices to book Shared Parental Leave. This may enable you to take up to three separate blocks of Shared Parental Leave (although if you give a notice to vary or cancel a period of leave this will in most cases count as a further period of leave notice; see paragraph 0).

Your Manager or People and Purpose Partner will enter the dates of your leave in Workday.

10. Procedure for requesting split periods of Shared Parental Leave

In general, a period of leave notice should set out a single continuous block of leave. We may be willing to consider a period of leave notice where the Shared Parental Leave is split into shorter periods with periods of work in between, but we are not obliged to grant such a request. It is best to discuss this with your manager and People and Purpose Manager/Partner in good time before formally submitting your period of leave notice. This will give us more time to consider the request and hopefully agree a pattern of leave with you from the start.

If you want to request split periods of Shared Parental Leave, you must set out the requested pattern of leave in your period of leave notice. We will either agree to the request or start a two-week discussion period. At the end of that period, we will confirm any arrangements in writing. If we have not reached an agreement, you will be entitled to take the full amount of requested Shared Parental Leave as one continuous block, starting on the start date given in your notice (for example, if you requested three separate periods of four weeks each, they will be combined into one 12 - week period of leave). Alternatively, you may:

- a) choose a new start date (which must be at least eight weeks after the date you submitted the notice requesting split periods of leave), and tell us within five days of the end of the two-week discussion period; or
- b) withdraw the notice and tell us within two days of the end of the two-week discussion period (in which case it will not be counted as a period of leave notice, and you may submit a new one if you choose).

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11. Changing the dates or cancelling your Shared Parental Leave

You can cancel a period of leave by notifying us in writing at least eight weeks before the start date in the period of leave notice.

You can change the start date for a period of leave by notifying us in writing at least eight weeks before the original start date or the new start date, whichever is earlier.

You can change the end date for a period of leave by notifying us in writing at least eight weeks before the original end date or the new end date, whichever is earlier.

You can combine discontinuous periods of leave into a single continuous period of leave. Since this will involve a change to the start date or end date of a period of leave, the above set out how much notice is required.

You can request that a continuous period of leave be split into two or more discontinuous periods of leave, with periods of work in between. Since this will involve a change to the start date or end date, see above points in paragraph 11 which set out how much notice is required for the request. We do not have to grant your request but will consider it as set out in paragraph 10.

A notice to change or cancel a period of leave will count as one of your three period of leave notices, unless:

- a) it is a result of your child being born earlier or later than the EWC;
- b) you are cancelling a request for discontinuous leave within two days of the end of the two-week discussion period under paragraph 10;
- c) it is at our request; or
- d) we agree otherwise.

12. Premature birth

Where the child is born early (before the beginning of the Expected Week of Childbirth), you may be able to start Shared Parental Leave in the eight weeks following birth even though you cannot give eight weeks' notice. The following rules apply:

- a) If you have given a period of leave notice to start Shared Parental Leave on a set date in the eight weeks following the Expected Week of Childbirth, but your child is born early, you can move the Shared Parental Leave start date forward by the same number of days, provided you notify us in writing of the change as soon as you can. (If your period of leave notice already contained a start date which was a set number of days after birth, rather than a set date, then no notice of change is necessary).
- b) If your child is born more than eight weeks early and you want to take Shared Parental Leave in the eight weeks following birth, please submit your opt-in notice and your period of leave notice as soon as you can.

13. Shared Parental Pay (SPP)

You may be able to claim Statutory Shared Parental Pay of up to 39 weeks (less any weeks of statutory maternity pay, or maternity allowance claimed by you or the other Parent) if you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. Statutory Shared Parental Pay is paid by

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employers at a rate set by the government each year.

You should tell us in your period of leave notice(s) whether you intend to claim Statutory Shared Parental Pay during your leave (and if applicable, for what period). If it is not in your period of leave notice you can tell us in writing, at least eight weeks before you want Statutory Shared Parental Pay to start.

You will only be eligible for Company Enhanced Shared Parental Pay if the following requirements are met:

- a) You meet the requirements for SPL; and
- b) You tell us in your period of leave notice(s) whether you intend to claim Company Enhanced Shared Parental Pay during your leave (and if applicable, for what period). If it is not in your period of leave notice you can tell us in writing, at least eight weeks before you want Company Enhanced Shared Parental Pay to start;
- c) You tell us in your period of leave notice(s) or at least eight weeks before you want Company Enhanced Shared Parental Pay to start when the other Parent will be taking Shared Parental Leave;
- d) You take only one single continuous block of leave.

Company Enhanced Shared Parental Pay is payable for a maximum period of up to 26 weeks (the “Maximum Period”). The period during which Company Enhanced Shared Parental Pay is payable is calculated as follows.

- a) Reduce the Maximum Period by the period of maternity leave (including the period of compulsory maternity leave) taken (or to be taken) by you or the other Parent during the first 26 weeks after the birth of the child. The period so calculated is referred to as the Enhanced Pay Period.
- b) If Shared Parental Leave is taken simultaneously in the first 26 weeks after the birth of the child by both parents, then for that period when they are taking leave simultaneously the available period of pay available to you as the Workday employee is shared equally between you and the other Parent and consequently for each week you are on simultaneous Shared Parental Leave your Enhanced Pay Period is reduced by two weeks.
- c) In the period or periods when Shared Parental Leave is not taken simultaneously by you and the other Parent then the Enhanced Pay Period is reduced by any period of Shared Parental Leave taken or planned to be taken by the other Parent during the first 26 weeks after the birth of the child. Company Enhanced Shared Parental Pay is only payable during an Enhanced Pay Period which occurs during the first 26 weeks following the birth of a child. Thereafter the only entitlement will be to Statutory Shared Parental Pay, if any (see above).

Company Enhanced Shared Parental Pay will be paid at the full rate of your contractual base pay so that the Company effectively tops up your pay to the amount of your contractual base pay.

Company Enhanced Shared Parental Pay is only paid if you are receiving Statutory Shared Parental Pay for the same period, and includes the Statutory Shared Parental Pay due.

If you are employed on a fixed term contract and it expires during the period of Shared Parental Leave you may still qualify for Company Enhanced Shared Parental Pay. Payments of Company Enhanced Shared Parental Pay will cease on the contract end date but you may still be entitled to Statutory Shared Parental Pay.

For the avoidance of doubt, the Company will never be under any obligation to pay Company Enhanced Shared Parental Pay to an individual who

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is not employed by Workday. The other Parent's entitlements to receive pay will be determined in accordance with their employer's own policies on Shared Parental Leave and Pay.

The Company would prefer mothers employed by the Company to take at least six weeks maternity leave as the government makes a larger contribution to statutory maternity pay for the first 6 weeks after the birth of the child than it does for shared parental pay.

Please find below some worked examples of employees taking Shared Parental Leave.

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Example One

Mother employed by Workday for 3 years takes 6 weeks' maternity leave and opts in to Shared Parental Leave. There are 46 weeks of Shared Parental Leave available. She opts to take the next 26 weeks as Shared Parental Leave. The other Parent opts to take the next 20 weeks as Shared Parental Leave too so that they can share 20 weeks together with the new baby.

Process

- The mother must give at least 8 weeks' notice of the intention to end her maternity leave (see paragraph 6 above) and formally opt into Shared Parental Leave (see paragraph 5 above).
- If asked by People and Purpose the mother must provide the evidence set out at paragraph 8 above.
- The mother should book her period of Shared Parental Leave on at least 8 weeks' notice (see paragraph 9 to 12 above).

Pay

- The mother employee has an available pot of 26 weeks Company Enhanced Shared Parental Pay. This is reduced by six weeks' maternity leave leaving twenty weeks of Shared Parental Pay available. Workday will pay Company Enhanced Shared Parental Pay for ten weeks as the leave is being taken simultaneously (see paragraph 13 above).
- Statutory Shared Parental Pay will be available for up to 39 weeks between parents. They must decide how to split this bearing in mind that Company Enhanced Shared Parental Pay is only payable if you are receiving Statutory Shared Parental Pay for the same period.

Comment

The Workday employee must consider carefully with the other Parent what the shared parental pay benefits are in the other Parent's workplace to assess whether this is something they want to do or whether it is worth remaining on maternity benefits.

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Example Two

Father employed by Workday for 3 years takes 2 weeks' paternity leave (which does not count towards reduction of available Shared Parental Leave or Statutory Shared Parental Pay) and opts in to Shared Parental Leave. The mother takes only two weeks of compulsory maternity leave before commencing Shared Parental Leave. There are 50 weeks of Shared Parental Leave available. He opts to take the next 30 weeks as Shared Parental Leave. The other Parent opts to take the next 20 weeks as Shared Parental Leave too so that they can share 20 weeks together with the new baby.

Process

- The mother (not employed by Workday) must serve a curtailment notice on her employer and opt in to Shared Parental Leave with her employer.
- The father (employed by Workday) must serve an opt in notice at least 8 weeks before the start date (which can be whilst the mother is on maternity leave so long as she has served a curtailment notice) and formally opt into Shared Parental Leave.
- If asked by People and Purpose the father must provide the evidence set out in paragraph 8 above.
- The father should book his period of Shared Parental Leave on at least 8 weeks' notice (see paragraphs 9 to 12 above).

Pay

- The father employee has an available pot of 26 weeks Company Enhanced Shared Parental Pay. This is reduced by two weeks' maternity leave.
- Twenty-four weeks of shared parental pay is available.
- Workday will pay Company Enhanced Shared Parental Pay to the father for twelve weeks as the leave is being taken simultaneously (see paragraph 13).
- Statutory Shared Parental Pay will be available for up to 39 weeks between parents. They must decide how to split this bearing in mind that Company Enhanced Shared Parental Pay is only payable if you are receiving Statutory Shared Parental Pay for the same period.

Comment

The Workday employee must consider carefully with the other Parent what the shared parental pay benefits as compared to maternity leave benefits are in the other Parent's workplace to assess whether this is something they want to do.

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14. Other terms during Shared Parental Leave

Your terms and conditions of employment remain in force during Shared Parental Leave, except for the terms relating to pay.

Annual leave entitlement will continue to accrue at the rate provided under your contract. If your Shared Parental Leave will continue into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting your leave can be carried over. You should try to limit carry over to one week's holiday or less. Please discuss your holiday plans with your manager in good time before starting Shared Parental Leave. All holiday dates are subject to approval by your manager.

If you are a member of the pension scheme, we will make employer pension contributions during any period of paid Shared Parental Leave, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any shared parental pay you are receiving, unless you inform the People and Purpose Department that you wish to make up any short fall. Where pension contributions are made by salary sacrifice then different rules will apply, please contact People and Purpose Department for the applicable rules at the time.

In the event that your role is affected by a redundancy situation occurring during your Shared Parental Leave, we will inform you of any proposals and invite you to a meeting before any final decision is reached as to your continued employment. Employees on Shared Parental Leave shall be given first refusal on any suitable alternative vacancies that are appropriate to their skills.

15. Keeping in touch (KIT)

We may make reasonable contact with you from time to time during your Shared Parental Leave although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.

You may ask or be asked to work (including attending training) on up to 20 "keeping-in-touch" days (KIT days) during your Shared Parental Leave. This is in addition to any KIT days that you may have taken during maternity leave. KIT days are not compulsory and must be discussed and agreed with your line manager or the People and Purpose Department.

Payment during KIT days:

- If you are not eligible for Statutory Shared Parental Pay or Company Enhanced Shared Parental Pay then for any KIT day you will receive a full day of normal/notional salary for the KIT day. If you are a pension member, employee and company pension contributions will be pro-rated for the days worked.
- If you are in receipt of Company Enhanced Shared Parental Pay then you will not receive additional salary for attending during a KIT day since you are already being paid in full and pension contributions being made in the usual way.
- If you are in receipt of Statutory Shared Parental Pay only you will receive a full day of normal/notional salary which will include your Statutory Shared Parental Pay entitlement for the KIT day. The Company will already be continuing to make employer contributions to your pension during this time and if you attend a KIT day we will not deduct Employee contributions from your KIT day salary.
- If you are no longer in receipt of Company Enhanced Shared Parental Pay and also no longer in receipt of Statutory Shared Parental Pay then you will receive a full day of normal/notional salary for the KIT day. If you are a pension member, employee and company pension contributions will be pro-rata for each KIT day.

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16. Returning to work

If you want to end a period of Shared Parental Leave early, you must give us eight weeks' written notice of the new return date. If you have already given us three periods of leave notices, you will not be able to end your Shared Parental Leave early without our agreement.

If you want to extend your Shared Parental Leave, assuming you still have unused Shared Parental Leave entitlement remaining, you must give us a written period of leave notice at least eight weeks before the date you were due to return to work. If you have already given us three periods of leave notices, you will not be able to extend your Shared Parental Leave without our agreement. You may instead be able to request annual leave or ordinary parental leave (see our Parental Leave Policy), subject to the needs of the business.

You are normally entitled to return to work in the position you held before starting Shared Parental Leave, and on the same terms of employment. However, if it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable, but only in the following circumstances:

- a) if your Shared Parental Leave and any maternity or paternity leave you have taken adds up to more than 26 weeks in total (whether or not taken consecutively); or
- b) if you took Shared Parental Leave consecutively with more than four weeks of ordinary parental leave.

If you want to change your hours or other working arrangements on return from Shared Parental Leave you should make a request under our Flexible Working Policy. It is helpful if such requests are made as early as possible.

If you decide you do not want to return to work, you should give notice of resignation in accordance with your contract of employment.

This policy only applies to employees and does not apply to agency workers or the self-employed. This policy does not form part of any employee's contract of employment and we may amend it at any time.