

WELSH GOVERNMENT HR POLICIES

SHARED PARENTAL LEAVE

Shared Parental Leave is a statutory provision. The Welsh Government fully supports this provision as part of our framework of family-friendly and flexible working policies which support modern working families.

Our aim is to enable working parents to balance the responsibility for caring for their child in its first year without it having a negative impact on their career. Our policy enables fathers/partners to take a more active role in childcare and gives choice and flexibility to both parents/partners in how work and family commitments are balanced. It will help employees to maintain stronger links with the workplace and the ability to continue to develop their career whilst combining periods of time at work with periods of time caring for their child.

Please note that all of our policies are fully inclusive of all staff regardless of age, marriage (including equal/same sex marriage) and civil partnership, disability, sex, sexual orientation, pregnancy and maternity, race, religion or belief, gender identity or gender expression.

[Guidance and procedures to support implementation of this policy can be accessed by clicking here](#)

WELSH GOVERNMENT HR GUIDANCE AND PROCEDURES

SHARED PARENTAL LEAVE

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[The Policy](#) (*click to access*)

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The following forms which accompany this Guidance are available on the intranet

Form A - Mother's Notice of Intention to take Shared Parental leave

Form B – Primary Adopter's Notice of Intention to take Shared Parental leave

Form C – Father / Partner's Notice of Intention to take Shared Parental leave

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- **Related link**
[Welsh for Kids](#)

[The Policy](#) (*click to access*)

Roles and Responsibilities

Line managers are responsible for:

- Initiating early discussions with employees about their intentions regarding Shared Parental Leave so that both parties are aware of business needs and the preferences of the individual;
- Discussing the Notification of Intention form with the employee and forwarding this form to the Shared Service Centre;
- Discussing and responding to requests for specific periods of leave with the employee within the timescales detailed in this Guidance; and,
- Agreeing any Shared Parental Leave Keeping in Touch days with the employee.

Employees are responsible for:

- Discussing their intentions regarding Shared Parental Leave with their line manager at the earliest opportunity so that both parties are aware of business needs and the preferences of the individual;
- Reading the policy and this guidance and ensuring that they meet the eligibility criteria for Shared Parental Leave before submitting any notice;
- Ensuring that they and their partner meet the criteria to enable the employee to participate in Shared Parental leave;
- Submitting the Notification of Intention form to their line manager at the earliest opportunity;
- Completing the relevant forms and submitting them to their line manager within the timescales detailed in this guidance;
- Notifying their line manager and the Shared Service Centre if at any time, they cease to be entitled to Shared Parental leave; and,
- Agreeing any Shared Parental Leave Keeping in Touch days with their line manager.

Corporate Shared Service Centre (CSSC) is responsible for:

- Confirming eligibility for Shared Parental Leave and Shared Parental Pay in writing to the employee; and,

- Processing requests for leave and pay and confirming entitlements in writing to the employee.

1. Application

- 1.1 The policy applies to permanent and fixed term employees. It does not apply to agency workers or self-employed contractors. It does not form part of any employee's Contract of Employment and may be amended from time to time by the Welsh Government (WG).
- 1.2 If both the mother / primary adopter and their partner work for the Welsh Government and wish to take Shared Parental leave (SPL) they will both need to discuss this with their respective line managers and complete the relevant forms.**

Frequently Used Terms

- 1.3 In this Guidance, the term "partner" means the mother/adopter's spouse (including same and different sex marriage), the child's father, civil partner or someone living with them in an enduring family relationship who is not their sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew.
- 1.4 The term "expected week of childbirth" is the week beginning on a Sunday in which the doctor or midwife expects your child to be born.

2. Shared Parental Leave

- 2.1 SPL enables working parents to have more choice and flexibility in how they share the care of their child during its first year. It may be taken by eligible parents/partners and adopters whose child is expected/placed for adoption on or after 5 April 2015. They may share up to 50 weeks of leave and 37 weeks' pay to care for their child in their first year after birth/being placed for adoption. Both partners may take SPL together and/or take it in turns to have a period(s) of leave to care for their child, returning to work between leave periods. Blocks of leave may be taken as continuous weeks or discontinuous weeks.

Paternity Leave

- 2.2 If you are the mother/adopter's partner, you should consider using your paternity leave before taking SPL. Once you start SPL you will lose any untaken paternity leave entitlement.

Principles

- 2.3 The mother/adopter may share SPL with the partner with whom they share the main responsibility for the care of the child and who must be one of the following:

- The child's father

- A person to whom the mother/adopter is married (including same and different sex marriage) or in a civil partnership
- A partner (including a same sex partner) who lives with the mother and the child in an enduring family relationship but is not the mother's child, parent, grandchild, grandparent, sibling, aunt, uncle niece or nephew.

- 2.4 Maternity, Adoption and Paternity Leave will continue to exist for eligible employees. These options can be combined with SPL if the mother/adopter decides to take up the option of SPL, ends their maternity or adoption leave early and the other partner is eligible and agrees to participate in SPL.
- 2.5 The total amount of SPL available is 52 weeks, less the weeks spent by the child's mother on maternity/adoption leave (or the weeks in which the mother/adopter has been in receipt of statutory maternity/ adoption pay or maternity allowance if they are not entitled to maternity leave). The mother must take a minimum of two weeks' compulsory maternity leave following the birth. The adopter must also take two weeks compulsory adoption leave but this does not have to be after the child is placed for adoption as adoption leave and pay can start up to 14 days before the child is placed for adoption. Therefore the total amount of leave that can be shared is 50 weeks.
- 2.6 The total amount of Shared Parental Pay (ShPP) available to share is 39 weeks less the two weeks compulsory maternity/ adoption pay received by the mother / primary adopter. Therefore the total amount available to share is 37 weeks' pay.
- 2.7 SPL may be taken from the date of the child's birth date/date of placement to the day before the child's first birthday/anniversary of adoption.
- 2.8 If a mother/adopter returns to work after maternity/adoption leave without opting into SPL, they may do so at a later date by giving the relevant notice.

Annual leave and Shared Parental Leave

- 2.9 Annual leave can be taken by one parent **whilst** the other remains on SPL. Annual leave cannot be taken by both parents at the same time as this would break the SPL cycle and end the entitlement.

3. Eligibility

Shared Parental Leave - mother/primary adopter

- 3.1 Where the child's mother/primary adopter is a WG employee, to be eligible for SPL, you must be eligible for maternity leave or pay, maternity allowance or adoption leave or pay. Information on eligibility criteria for these are set out on www.gov.uk
- 3.2 In addition, you must:

- Have at least 26 weeks continuous service by the end of the 15th week before the expected week of childbirth or by the date notified of a match for adoption;
- Still be employed in the week before the period of SPL;
- Have or expect to have parental responsibility for your child; and,
- Give the correct notice, including a declaration that your partner meets the employment and income requirements for SPL.

And your partner:

- must have worked for at least 26 weeks (may be discontinuous) in the 66 weeks before the child is born/matched for adoption and earned a weekly average of £30 in 13 of the 66 weeks. This employment and earnings could have been as an employee, a worker, agency worker or on a self-employed basis; and,
- Has at the date of the child's birth/date of placement for adoption main responsibility for the child, apart from the mother/ primary adopter.

Shared Parental leave – partner

3.3 Where the mother/adopter's partner is a WG employee, to be eligible for SPL they must:

- Have been continuously employed for not less than 26 weeks at the 15th week before the expected week of childbirth / date of placement for adoption;
- Still be employed by the WG at the start of each leave period; and,
- Have the main responsibility for the child at the date of birth/ placement for adoption, apart from the mother/adopter.

And the mother/adopter:

- must have worked for at least 26 weeks (may be discontinuous) in the 66 weeks before the child is born/matched for adoption and earned a weekly average of £30 in 13 of the 66 weeks. This employment and earnings could have been as an employee, a worker, agency worker or on a self-employed basis;
- Has at the date of the child's birth/date of placement for adoption main responsibility for the child, apart from the partner;
- Is entitled to statutory maternity leave and has curtailed it or returned to work before the end of statutory maternity leave; or,

- is entitled to statutory maternity pay and has curtailed her right to statutory maternity pay; or,
- is entitled to maternity allowance and has curtailed it.

3.4 If both you and your partner qualify for SPL, you must decide how it will be divided and you must each inform your respective employer(s) of your entitlement. See paragraph 5 for more information.

Shared Parental Pay

3.5 You may be eligible for Shared Parental Pay (ShPP) during a period of SPL if:

- You qualify for statutory maternity pay or statutory adoption pay; or
- You qualify for statutory paternity pay and your partner qualifies for statutory maternity pay or statutory adoption pay;
- You are still employed in the week before the period of ShPP.
- You have at least 26 weeks continuous service by the end of the 15th week before the expected birth date or by the date notified of a match for adoption;
- Your partner must have worked for at least 26 weeks (may be discontinuous) in the 66 weeks before the child is born/matched for adoption and earned a weekly average of £30 in 13 of the 66 weeks; and
- You must have earned above the “Lower Earnings Limit” in the eight weeks leading up to and including the 15th week before the expected date of birth/matching date for adoption. This limit is the amount of gross weekly earnings that allow an employee to qualify for certain state benefits. This limit changes each April. Details are contained on the Department for Work and Pensions website.

3.6 A self-employed person or a person who is not working will not be eligible for Shared Parental Pay.

3.7 Permanent and fixed term employees who have at least one year’s continuous service with the WG by the 15th week before the expected week of childbirth/placement for adoption (which may be made up of continuous permanent and temporary service) can receive the following maximum, occupational ShPP during SPL:

- 24 weeks at full contractual pay
- 13 weeks at statutory the ShPP rate.

3.8 In addition to meeting the criteria above, you must be employed in the week before each separate period of leave to qualify for contractual ShPP.

- 3.9 The level of pay an employee who is the partner to the mother/adopter receives during SPL will depend on the point after the child's birth at which SPL begins. Levels of pay will be the same as the equivalent which would apply during maternity leave:
- Full contractual pay if the SPL is taken from week 3 to 26 after the child is born (i.e. after the 2 week compulsory period has been taken by the mother/primary adopter);
 - Statutory ShPP during the next 13 weeks; and,
 - Nil pay for the last 13 weeks before the child is one year old.
- 3.10 The actual weeks of ShPP you will receive will be reduced by the amount of weeks maternity/adoption pay or Maternity Allowance taken by the mother / primary adopter and any weeks of pay that you have agreed your partner will receive.
- 3.11 If you receive occupational ShPP during your leave, you must return to work and complete one month's service after your final period of SPL ends. If you do not return and complete one month's service, you will be required to repay any ShPP paid to you excluding any statutory ShPP to which you are entitled. This requirement to return to work may be satisfied by undertaking recurring short term temporary appointments and part-year appointments for the equivalent of one month for employees who occupy such posts.
- 3.12 Repayment of occupational ShPP will be waived where:-
- an employee decides to take a career break immediately following the final period of SPL (unless they resign during the course of the career break or fails to return at the end); or
 - an employee provides medical evidence that they will be unable to return because the child has a disability or special needs; or
 - with the agreement of the employee, there are good management reasons why they need not return or where the WG believes there is a genuine intention to return which cannot be realised because of exceptional circumstances.
- 3.13 Permanent and fixed term employees who have less than one year's continuous service but have at least 26 week's continuous service with the WG by the end of the 15th week before the expected birth date/placement for adoption can receive a maximum of 37 weeks statutory ShPP:
- the first 4 weeks will be paid at a rate of 90% of the average weekly wage or the current prescribed rate set by the UK Government whichever is the lower
 - the remaining 33 weeks will be paid at the rate set by the UK government.

- 3.14 The actual weeks of ShPP you will receive will be reduced by the amount of weeks maternity/adoption pay or Maternity Allowance taken by the mother / primary adopter and any weeks of pay that you have agreed your partner will receive.
- 3.15 Further details of statutory benefits can be found on the Department for Work and Pensions website at <https://www.gov.uk/government/organisations/department-for-work-pensions>
- 3.16 If both you and your partner qualify for ShPP, you must decide how it will be divided and you must each inform your respective employer(s) of your entitlement. Please see paragraph 5 for more information.
- 3.17 If a mother/adopter wants to opt into ShPP after returning to work, and they are still in the maternity/adoption pay period then they must give the Corporate Shared Service Centre notice to end the maternity/ adoption pay period at least 9 weeks before the expiry of the 39 week period. If the mother claims maternity allowance from Jobcentre Plus, she must tell Jobcentre Plus that her maternity allowance period is to end. The maternity/adoption pay or allowance period will end on the last day of the pay week in which the notice is given.

Other contractual benefits

- 3.18 During the period of SPL, employees remain entitled to the contractual benefits of their existing terms and conditions of employment which would have applied had they not been absent except for pay and pension contributions. Such benefits could include the use of a corporate mobile telephone.
- 3.19 Annual leave, public and privilege holidays also continue to accrue during SPL. Line managers should agree any holidays accrued with the employee on their return to work, taking advice from the Corporate Shared Service Centre as necessary.

4. Entitlement to Shared Parental Leave

- 4.1 If you are eligible and you or your partner bring your maternity/ adoption leave and/or pay to an end early (known as curtailing the leave) then you may take the remaining balance of the maternity/adoption leave as SPL and be paid ShPP at the appropriate rate for the balance of the pay period.

Curtailing maternity or adoption leave

- 4.2 The mother / adopter may end their maternity/adoption leave before the end of their 52 week entitlement by giving notice to their line manager of this date at least 8 weeks before their planned return to work and then returning to work. Once they have returned to work, maternity/adoption leave will have ended and cannot be re-started.

- 4.3 Where a mother/adopter gives notice to end their maternity leave and it is accompanied by a Notification of Intention to take Shared Parental Leave (see Forms A – D available on the intranet) then they are bound by this notice to end the maternity/adoption leave except in the very limited circumstances set out in paragraph 7 below.
- 4.4 The total amount available to couples is 52 weeks less the number of weeks maternity leave or maternity pay or maternity allowance taken/received by the mother or the amount of weeks she would have taken ending on the date of the leave curtailment date (even if she has not returned to work). Where maternity leave ends without the mother curtailing leave and she decides to opt for SPL at a later date, the total amount of SPL available is 52 weeks less the number of weeks maternity leave taken.
- 4.5 In the case of adoptive couples, the total amount of SPL available is 52 weeks less the number of weeks of Adoption Leave taken by the primary adopter ending on the date of the leave curtailment date (even if they have not returned to work). Where adoption leave ends without the primary adopter curtailing leave, the total amount of SPL available is 52 weeks less the number of weeks adoption leave taken.
- 4.6 If your partner is eligible for SPL, you can take the leave together and/or at different times. SPL must be taken in complete weeks and you may request leave in continuous or discontinuous periods. A continuous period would be where you take your SPL in a block of, for example, four weeks. A discontinuous period would be where you ask to take the leave in shorter blocks, for example, you might ask to take every other week off over a period of eight weeks.

5. Notification Requirements

- 5.1 For SPL to begin, the mother/primary adopter must do one of the following:
- End their maternity/adoption leave by returning to work
 - Give their line manager/their employer binding notice of the date when they will end their maternity/adoption leave (not less than eight weeks before the start date chosen for the first period of SPL to be taken by the mother/ adopter)
 - End maternity/adoption pay or Maternity Allowance
- 5.2 The partner may start SPL whilst the mother is still on maternity/ adoption leave provided the mother/primary adopter has given notice to end the maternity/adoption leave and/or pay and notice of their joint intention to take SPL. The partner must also have given eight weeks notice to take a specific period of leave.

STAGE ONE - Written notification of entitlement and intention to take SPL

- 5.3 Employees and line managers are encouraged to have an early and informal discussion about any intention to take SPL and the preferred pattern of leave they may wish to take. This will provide an opportunity to discuss when any

discontinuous leave can be best accommodated to suit the needs of the employee and business requirements. It will help line managers and employees plan for the impact of the absence and take steps to mitigate it. Further discussions may be needed if you change your mind about your intentions.

- 5.4 You must give your manager notice of your entitlement to, and intention to take, SPL. This is a “one-off” notification and is binding. However, your indication of when you and your partner intend to take the leave is non-binding. You must select the correct Notice of Intention to take Shared Parental Leave form (Forms A – D available on the intranet) depending on your circumstances e.g. whether you are the mother or partner or adopter.
- 5.5 The maximum number of separate blocks of leave that you can take is three. For example, you might request April and May as one block, July as a second block and every other week between 1 September and 1 November as the third block of leave.
- 5.6 You can vary the total amount of SPL you and your partner intend to take between you by notifying your line manager of this variation. (See Variation of Notice of Intention to take Shared Parental Leave - Form E available on the intranet). This will also be necessary when you wish to increase the total amount of SPL you wish to take or to transfer weeks of SPL between you and your partner. The indication of specific leave dates is not binding unless you indicate otherwise in the notification. There is no limit on the amount of times you may vary your intention about the amount of leave you wish to take and how you wish to divide it between you and your partner.
- 5.7 The dates for specific periods of leave in the Notice of Intention are not binding and you may vary this notification provided you still have at least 8 weeks before you are due to start the first proposed period of SPL. Any variation notice must also be signed by your partner.
- 5.8 This Notice of Intention and any subsequent variation form(s) must be completed by you and signed by both you and your partner to demonstrate that you both agree to the change, before forwarding to your line manager. The line manager will discuss your intentions with you and authorise the form. You must then forward this form to the Corporate Shared Service Centre, together with any subsequent “booking “ forms – see below. The Service Centre will consider your eligibility for SPL and ShPP and confirm this in writing to you.

STAGE TWO - Booking a period of Shared Parental leave

- 5.9 You must give separate notice to your line manager of any period that you wish to take as SPL. This notice must be given at least 8 weeks before the start date of the first period of leave that you are requesting. This notice may be given at the same time as a curtailment notice and notice of your intention to take SPL, but does not have to be.

You should complete the form Notice to take a Particular Period of Shared Parental Leave (Form F available on the intranet) and forward it to your line manager.

- 5.10 You may give notice to your line manager of all of the leave you wish to take - be it in a single block or a discontinuous pattern of leave – in one notification.

Booking a continuous period of leave

- 5.11 If you give your line manager notice of a continuous period of SPL e.g. a block of four weeks, you will be entitled to take that leave. You must complete the Notice to take a Particular Period of Shared Parental Leave - Form F available on the intranet and forward it to your line manager for signature. You must then forward it to the Corporate Shared Service Centre. The Service Centre will confirm your leave and your eligibility for ShPP.

You cannot withdraw a notice for a single continuous block of leave without your line manager's agreement.

Booking a discontinuous period of leave

- 5.12 If you request discontinuous periods of SPL (e.g. every other week off over 10 weeks) your line manager will consider your request and will meet with you to discuss the leave and give you a decision on whether you may take this leave within 14 calendar days of receiving it. After discussing the leave with you, your line manager may agree to the leave, propose alternative dates to you taking into account your circumstances and business requirements or refuse the request, giving a reason.
- 5.13 If your line manager agrees to your initial request or agrees alternative dates with you, then the agreement is binding and you are entitled to take that leave. You must forward the completed Notice to take a Particular Period of SPL (Form F available on the intranet) to the Corporate Shared Service Centre who will confirm the leave and your eligibility for ShPP.
- 5.14 If you and your line manager cannot reach agreement within the 14 calendar day period:
- You will be entitled to take the full amount of requested SPL as one continuous block, starting on the start date given in your notice (for example, if you requested 3 separate periods of 4 weeks each, they will be combined into one 12 week period of leave); or
 - You may choose a new start date for the continuous block of leave (which must be at least 8 weeks after your original period of leave notice was given) and tell your line manager within 5 days of the end of the 14 calendar day discussion period; or
 - You may withdraw your period of leave notice within 15 days of giving it d (in which case it will not be counted and you may submit a new one if you choose).

- 5.15 If you are taking the leave as one continuous block, you must complete a new Notice to take a Particular Period of Shared Parental Leave (Form F available on the intranet). This form must be forwarded to the Corporate Shared Service Centre who will confirm your leave and your eligibility for ShPP in writing to you.
- 5.16 The maximum number of booking notices you may give to take particular periods of SPL is three. The following do not count towards this maximum;
- Any notice withdrawn at your line manager's request because the notice is for discontinuous leave
 - Any notice that varies an earlier notice because the child is born / placed for adoption earlier or later than expected
 - Any notice for discontinuous leave that is withdrawn within 15 days of giving it, provided you have not already reached agreement with your line manager.

Requesting a variation to leave that you have already booked

- 5.17 If you wish to request a variation to a specific period of SPL, you must complete the Notice to vary a period of Shared Parental Leave (Form G available on the intranet) and forward it to your line manager, giving at least eight weeks' notice.

You may:

- Vary the start or end of any period of SPL
 - Ask for a single period of leave to become discontinuous or vice versa
 - Cancel completely or vary the amount of leave requested.
- 5.18 Any variation notice will count towards the cap of three notices you are allowed to give to book SPL. Your line manager will discuss your revised intentions with you. Once the leave is agreed, you must forward the form to the Corporate Shared Service Centre who will confirm your leave and your eligibility for ShPP.

Notice for SPL at the time of the birth or adoption

- 5.19 If you are booking a period of SPL which you want to start just after the expected birth or adoption, then you can either provide the start date of the birth/adoption of the child in the notice or you can express it as a number of days following the birth/adoption and express the end date in the same way. This means that if the expected birth or placement date changes, you do not have to provide a further notice.

6. Exceptions to the eight week notice requirement

After you have booked a period of SPL

- 6.1 If your child is born/placed for adoption before the expected week of childbirth and you have agreed a specific period of leave with your line manager to begin sometime in the period eight weeks after the expected date, the eight weeks' notice will not apply as long as the variation notice (Form G available on the intranet) is given as soon as reasonably practicable after the birth/ placement for adoption. However, this variation notice cannot request an extension to the length of the leave. This variation notice will not count as one of your three notifications of SPL.

After Notification of the Intention and Entitlement to take SPL has been given

- 6.2 If you have given notice of your general intention to take SPL but have not completed the form to give notice for a particular period of leave and your child is born/placed for adoption eight or more weeks before the expected birth/ placement date, you will not be required to give eight weeks' notice, provided notice is given to start the leave within eight weeks of the birth and as soon as is reasonably practicable.

Before Notification of the Intention and Entitlement to take SPL has been given

- 6.3 If your child is born/placed for adoption before the first day of the expected week of birth/ placement and, before you have given notice of your general intention and entitlement to take SPL, you will not be required to give eight week's notice to take a period of leave, provided notice is given to start the leave within eight weeks of the birth/ placement and as soon as reasonably practicable after the birth/ placement date.

7. Revoking the decision to curtail maternity/adoption leave

- 7.1 The mother/adopter may be able to withdraw the decision to curtail maternity / adoption leave early provided the planned end date has not already passed and they have not already returned to work, in the following circumstances:
- they find out that neither partner is eligible for SPL or ShPP. The revocation notice must be given in writing within eight weeks of the date on which the mother/adopter gave her leave curtailment notice; or,
 - Their partner has died. The revocation notice must be given in writing within a reasonable timeframe; or,
 - for birth mothers only: if you gave a curtailment notice before giving birth, you can revoke it in writing up to six weeks after birth.
- 7.2 If a mother or adopter revokes their notice in the first two circumstances above, they cannot opt into SPL at a later date for the same child.
- 7.3 A mother / adopter who revokes her maternity leave curtailment notice in accordance with third bullet point of paragraph 7.1 will be able to opt into SPL at a later date with the same partner. either by returning to work and then giving notice of the intention to take and entitlement to SPL to her line manager or by giving another notice to curtail her maternity leave and

forwarding the Notice of Intention to take SPL (Forms A or B available on the intranet).

- 7.4 If the mother or adopter revokes their notice to end their maternity/ adoption leave, they remain on maternity/adoption leave. Their entitlement to leave is restored to a total of 52 weeks (less any period of maternity / adoption leave already taken) even if the father/partner has taken SPL prior to the mother/adopter revoking her leave curtailment notice.
- 7.5 Where a mother gives notice to curtail her maternity leave before the birth and then changes her mind within six weeks of the birth, her partner's entitlement to SPL stops. Both partners must inform their respective employers of the change in circumstances if they have notified entitlement to SPL.
- 7.6 If the partner works for the WG and has already started taking SPL or agreed a period of SPL which is due to start within the eight weeks following the revocation, your line manager may require you to be absent from work on unpaid leave for some or all of this period. This is in order to provide time to stand down any cover arrangements that may already have been organised. If you are required to be on leave, the absence is treated as SPL, even though there is no entitlement. However, you will not be entitled to receive ShPP for this period of leave. Your line manager may agree a shorter period of notice before your return to work if possible or in some circumstances, e.g. where cover arrangements have not been made, your line manager may not require you to take SPL.

8. Shared Parental Leave in Touch (SPLIT) Days

The line manager and employee may agree Shared Parental Leave Keeping in Touch days (SPLIT) Days. SPLIT days are in addition to the 10 Keeping in Touch days already available for an employee taking maternity or adoption leave. SPLIT days are designed to give employees the chance to go to work to undertake training, receive updates on work developments, receive important communications and generally keep in touch without losing the right to ShPP. Up to a maximum of 20 SPLIT days or part SPLIT days may be agreed. If an employee attends a SPLIT day, they will be paid for the hours worked less any contractual or statutory ShPP that they receive.

9. The Right to Return to Work

An employee who returns to work after SPL will be employed at the same grade and hours of work and will normally return to the same post and division they occupied prior to the leave. In any event, they will be treated for posting and transfer purposes no less favourably than if they had not been on leave.

10. Death or child returned after placement for adoption

- 10.1 In the event of the mother, father, adopter, partner or child dying there are special rules which are set out in the Schedule of Shared Parental Leave in Special circumstances in the Shared Parental Leave Regulations. Broadly

speaking these set out that where one of the partners in a birth or adoption situation dies, the right to SPL remains with the other partner, with certain notice provisions, and other requirements being waived. In the event of death in the above circumstances, the Corporate Shared Service Centre should be contacted for further information.

- 10.2 Where the child dies or is returned after a placement, no further specific notice may be given for SPL and only one variation of leave is possible. Leave may be cancelled without notice or you may reduce the period of leave to be taken as long as you give eight weeks' notice before the end date of the leave.

11. Changed Circumstances

- 11.1 You must advise your line manager if your circumstances change and you are no longer entitled to SPL or ShPP. Examples of such a change are where you no longer have care of the child or where the mother/ primary adopter no longer satisfies the criteria regarding the curtailment of statutory maternity leave or pay or maternity allowance.

- 11.2 Where your circumstances change, and you advise your line manager that you do not require SPL, you must provide at least eight weeks notice before SPL is due to start. If you do not provide eight weeks notice, your line manager can insist that you take the leave or remain on leave if it has already started. This is due to the fact that cover arrangements may have been put in place and time will be needed to stand down these arrangements. Wherever possible, line managers will try and accommodate the change where it is reasonably practicable to do so. In any event, your line manager will arrange for you to return to work from SPL no later than the end date of your period of SPL or eight weeks after you informed your line manager of the change in circumstances, whichever is the earlier. This period of leave is still treated as SPL but will be unpaid as you will not be entitled to receive SPL.

12. Declarations

If an employee makes a false statement or declaration about their circumstances or is found to make a fraudulent claim, they may be subject to action under the Discipline Procedure.

13. Confirming Information

- 13.1 The Shared Parental Leave Regulations empower the WG to be able to request you to provide the name and address of your partner's employer and you are required to provide it on request. We may also ask for a copy of the child's birth certificate or a declaration from you giving the date and place of birth if no birth certificate is available.

- 13.2 If you have adopted a child, the WG may request to see the following documents issued by the adoption agency:

- The agency's name and address

- The date that the adopter was notified on being matched with a child
- The date on which the child is expected to be placed with the family
- The name and address of the partner's employer.

14. Review

This Guidance and procedure will be reviewed every two years or whenever a relevant change in legislation occurs.