



Payroll Fact Sheet

Shared Parental Leave from 6 April 2017

Shared Parental Leave (SPL) is available to employees whose baby is due on or after 5th April 2015.

Employees can start SPL if they are eligible and they or their partner end their maternity or adoption pay early. The remaining leave will be available as SPL. The remaining pay may be available as Shared Parental Pay (ShPP).

Employees can take SPL in up to 3 blocks. They can also share the leave with their partners if they are also eligible. Parents can choose how much of the SPL each of them will take.

SPL and ShPP must be taken between the baby's birth and first birthday (or within 1 year of adoption).

Eligibility

To qualify the child's mother (or adoptive parent) must be eligible for either:

- Maternity leave or pay.
- Maternity Allowance.
- Adoption leave or pay.
- Your employee must also have worked for you continuously for at least 26 weeks by the end of the 15th week before the due date (or matching date for adoption).
- Still be employed by you while they take SPL.
- Give you the correct notice including a declaration that their partner meets the employment and income requirements which allow your employee to get SPL

Statutory Shared Parental Pay

Your employee can get ShPP if one of the following applies:

- They qualify for Statutory Maternity Pay or Statutory Adoption Pay.
- They qualify for Statutory Paternity Pay and have a partner who qualifies for Statutory Maternity Pay or Maternity Allowance or Statutory Adoption Pay.

Entitlement

If an employee is eligible and they or their partner end maternity or adoption leave and pay (or Maternity Allowance) early, then they can:

- Take the rest of the 52 weeks of leave (up to a maximum of 50 weeks) as Shared Parental Leave (SPL).
- Take the rest of the 39 weeks of pay (up to a maximum of 37 weeks) as Statutory Shared Parental Pay (ShPP).

A mother must take a minimum of 2 weeks' maternity leave following the birth (4 if she works in a factory).

ShPP is paid at the rate of £140.98 (2017/18) a week or 90% of an employee's average weekly earnings, whichever is lower.

Starting Shared Parental Leave

For Shared Parental Leave (SPL) to start, the mother or adopter must do one of the following:

- End their maternity or adoption leave by returning to work



- Give you 'binding notice' (a decision that can't normally be changed) of the date when they'll end their maternity or adoption leave.
- End maternity pay or Maternity Allowance (if they're not entitled to maternity leave, eg they're an agency worker or self-employed).

The mother must give you notice (at least 8 weeks) to end her maternity pay, or Jobcentre Plus to end her Maternity Allowance. Adopters must give you notice to end adoption pay.

SPL can start for the partner while the mother or adopter is still on maternity or adoption leave if she's given binding notice to end her leave (or pay if she's not entitled to leave).

What the employee must do

The employee must give you 8 weeks written notice of their entitlement to SPL and ShPP (shorter if baby born early) including:

- Their partner's name.
- Maternity leave start and end dates.
- The total amount of SPL and ShPP available and how much they and their partner intend to take.
- That they're sharing childcare responsibility with their partner.

It must also include a signed declaration from the partner stating:

- Their name, address and National Insurance number.
- That they satisfy the qualifying requirements for your employee to take SPL and ShPP.
- That they agree to your employee taking SPL and ShPP

After receiving this notice, you can ask for:

- A copy of the child's birth certificate
- The name and address of their partner's employer.

You have 14 days to ask for this information. Your employee then has a further 14 days to provide it.

Shared Parental Leave in Touch (SPLIT) days

Your employee can work up to 20 days during SPL without bringing it to an end. These are called 'shared parental leave in touch' (or SPLIT) days. These days are in addition to the 10 'keeping in touch' (or KIT) days already available to those on maternity or adoption leave.



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