



## Shared Parental Leave and Pay

The regulations guiding shared parental leave came into force on 1<sup>st</sup> December 2014 and will apply to eligible parents whose children are due to be born or adopted on or after 5<sup>th</sup> April 2015.

The idea behind this is that parents will be able to share leave that would otherwise be taken by the mother as maternity leave or the primary adopter as adoption leave.

### Eligibility

Eligible parents will be able to take up to 50 weeks of shared parental leave, and 37 weeks of shared parental pay, provided that it is all taken within the first year after birth or placement. You will also need to have ended any previous Maternity Leave, Pay, or Allowance, usually by returning to work or giving a 'binding notice', before you can start Shared Parental Leave/Pay.

The criteria for eligibility are as follows;

- Expecting a child or adoption on, or after, 5<sup>th</sup> April 2015
- One partner must be employed for at least 26 continuous weeks by the end of the 15<sup>th</sup> week prior to the due date
- The other partner must have been working for at least 26 intermittent weeks, within the 66 weeks prior to the due date
- One partner must be employed by the same employer while on Shared Parental Leave (you cannot carry over to/from jobs)
- The other partner must have earned at least £30 a week on average for at least 13 of the 66 weeks prior to the due date.

You can also qualify for Statutory Shared Parental Pay if you qualify for Maternity Pay or Adoption Pay, Paternity Pay or Maternity Allowance.

### Flexibility

The leave entitlement can be used flexibly between both parents, for example, one parent may choose to take 5 weeks off, work 1 week, and then take another 5 weeks off. The other parent can then take the remaining 40 weeks in the same pattern. They could also take 25 weeks off each at the same time.

You can also suggest a flexible pattern of parental leave to your employer. This will usually consist of 3 separate blocks of leave, but you can agree divisions as small as 1 week at a time. You will also be required to agree up to 20 working days with your employer. These are called Shared Parental Leave in Touch Days (SPLIT).

### **Are the adoption guidelines different?**

Changes are also planned for adoption leave to bring it in line with statutory maternity leave. The 26 weeks' of service required before taking adoption leave will be removed as of 5<sup>th</sup> April 2015, and the first 6 weeks of statutory adoption pay will be at 90% of average weekly earnings rather than at the statutory rate if this is lower. Primary adopters will also have the right to take paid time off in order to attend adoption appointments to meet the child they intend to adopt.

The right to take 18 weeks' of unpaid parental leave will also be extended from 5<sup>th</sup> April 2015, from five years of age to eighteen years of age.

The new guidelines are quite complex and employers should familiarise themselves with the regulations sooner rather than later.



## How can People Inc. help?

People Inc. is a very flexible piece of software, which means that changes to legislation can easily be incorporated into the system. The example below shows how an additional screen can be added in order to record Shared Parental Leave and Pay.

Notification Received	10/09/2014	Earliest Leave Start	05/10/2014
Due Date	26/12/2014	Parental Leave Start	15/12/2014
Length of Service Before Due Date	10 years, 1 week	Latest Leave End	30/11/2015
Expected Wk Confinement (EWC)	21/12/2014	Parental Leave End	30/11/2015
Length of Service Before EWC	10 years, 11 weeks	Parental Pay Start	22/12/2014
Date Born	22/12/2014	Parental Pay End	07/09/2015
Date Adopted			
Birth Category	Normal		

You can easily adjust an existing screen or add a brand new screen in order to record and calculate additional information. In the example above, we have added in a brand new screen which calculates information like length of service 26 weeks before the due date, and the estimated start and end dates of Parental Leave (50 weeks apart).

In order to accurately record Shared Parental Leave in People Inc. you should record the periods of absence manually in the Absence History screen, under a new rule for Shared Parental Leave which allocates 350 days of total leave. If one parent does not work at the same organisation (which is more often the case), their leave should be reflected alongside the first parents allowance using Additional Leave.

This information can then be reflected in a report which calculates the total for all of the Shared Parental Leave bookings.



For a partner that does not work at the same company, relevant information i.e. their signed declaration, must be provided. These can be attached directly to the Shared Parental Leave record.

If you would like to know more about how to incorporate something like this into your system, please contact us on **01908 265 111**.