



1 Eligibility Criteria

A parent seeking to take SPL must have worked for the same employer for a continuous period of at least 26 weeks at the end of the 15th week before the week in which the child is due (or at the week in which an adopter was notified of having been matched with a child or adoption) and be still employed in the first week that SPL is to be taken.

The other parent must have worked for 26 weeks in the 66 weeks leading up to the due date and have earned above the current maternity allowance threshold in 13 of the 66 weeks.

The criteria for the employment and earnings test means that the partner could be self-employed or no longer employed provided that the earnings threshold is met and/or continuous service of 26 weeks' was met before the end of employment. As a non-employee, such a partner would not be able to take the SPL themselves, but the eligible partner would be able to take the leave in a more flexible way ie in more than one block.

2 Calculation of Entitlement

Eligible employees may be entitled to take up to 50 weeks SPL during the child's first year in their family. The number of weeks available is calculated using the mother /adopter's entitlement to maternity/adoption leave, which allows them to take up to 52 weeks' leave. If they reduce their maternity/adoption leave entitlement then they and/or their partner may opt-in to the SPL system and take any remaining weeks as SPL.

A mother/adopter may reduce their entitlement to maternity/adoption leave by returning to work before the full entitlement of 52 weeks has been taken, or they may give notice to curtail their leave at a specified future date.

If the mother/adopter is not entitled to maternity/adoption leave, but is entitled to Statutory Maternity Pay (SMP), Statutory Adoption Pay (SAP) or Maternity Allowance (MA), they must reduce their entitlement to less than 39 weeks. If they do this, their partner may be entitled to up to 50 weeks of SPL.

This is calculated by deducting from 52 the number of weeks of SMP, SAP or MA taken by the mother/adopter.

SPL can commence as follows:

- The mother can take SPL after she has taken the compulsory two weeks of maternity leave immediately following the birth of the child.
- The adopter can take SPL after taking at least two weeks of adoption leave.
- The father/partner/spouse can take SPL immediately following the birth/placement of the child, but may first choose to exhaust any paternity leave entitlements (as the father/partner cannot take paternity leave or pay once they have taken any SPL or ShPP).

To calculate SPL and Maternity/Adoption Leave, refer to the on-line calculator at:
<http://www.nottingham.ac.uk/hr/guidesandsupport/maternityparentalsupportandadoption/calculators.aspx>.

3 Eligibility for Statutory Shared Parental Pay

To qualify for Statutory Shared Parental Pay (SShPP), the employee, as well as having the appropriate continuity of service (employment by the employer for at least 26 weeks at the 15th week before the child's due/matching date and still an employee in the first week of SPL), must also have earned an average salary of the lower earnings limit or more for the 8 weeks prior to the 15th week before the child's due date or placement.

Statutory Shared Parental Pay is paid for up to 37 weeks at the lesser of:

- £148.68 per week, or;
- 90% of average weekly earnings (if this is less than the standard rate of £148.68)

If the employee's employment comes to an end during the period of entitlement of SShPP, then any remaining weeks will usually be payable unless they start working for someone else.

4 Eligibility for Enhanced Shared Parental Pay

If an employee has a contract of employment, full-time or part-time, on terms and conditions in excess of the statutory, has a minimum of 52 weeks' continuous service with the University, up to and including the EWC/placement date and has given notice of their intention to return to work following SPL, the employee may be entitled to:

- 26 weeks leave on full pay (inclusive of any SShPP)
- 11 weeks' leave on SShPP at the appropriate rate
- Up to 13 weeks' unpaid leave

In any event, no combination of payments should exceed full pay. All benefits are classed as earnings and are therefore subject to deductions for Tax and National Insurance Contributions.

5 Discontinuous Leave

All notices for a continuous period of leave, from eligible employees, will be accepted. All requests for discontinuous leave will be considered. The University may decline the request for discontinuous leave and require the employee to withdraw the request or take the leave in a continuous block. Alternatively, the University can propose alternative dates. The employee can take three separate blocks of leave provided that eight weeks' notice is given before each period.