

Shared Parental Leave and Pay Policy

Document type:	Policy		
Document number:	HR-142	Version:	02
Department:	Human Resources		
Approved by:	Executive Board	Date approved:	27/05/2025
Effective from:	01/06/2025	Review date:	27/05/2028
Publication:	SOAS intranet		
Related documents:	Shared Parental Leave Notification Form		
<p><i>Note: All policies must be read in conjunction with all other SOAS policy, procedure and guidance documents. Printed copies of policies may not be the most up to date, therefore please refer to the policy pages on the SOAS external website or intranet for the latest version.</i></p>			

1. Introduction

- 1.1. SOAS is committed to supporting good practice in relation to parental rights. In support of this, we provide parental benefits for our staff, including enhanced shared parental leave and pay that is above the statutory minimum.
- 1.2. This policy is designed to ensure that all employees of SOAS are aware of the shared parental leave provisions at SOAS, and that they are treated fairly and consistently.
- 1.3. SOAS will ensure that employees are not treated less favourably or dismiss them because they are taking shared parental leave; and will not tolerate discrimination, victimisation or harassment on the basis of a person's parental responsibilities.

2. Scope

- 2.1. This policy applies to all eligible directly employed staff who wish to share a period of leave and/or pay in the 52 weeks following the birth or adoption of a child.
- 2.2. This is regardless of hours worked, length of service, role or employment contract type.
- 2.3. There are separate associated policies for Maternity Leave and Pay, Shared Parental Leave and Pay, Adoption/ Surrogacy Leave and Pay, and Parental Leave, all of which are available on the [SOAS intranet](#).

3. Definitions

Shared Parental leave (SPL)	The entitlement for 50 weeks of leave for employees in scope for this policy
Statutory Shared Parental Pay (SSPP)	The legal minimum weekly pay while an eligible employee is on shared parental leave.
Occupational Shared Parental Pay (OSPP)	An enhancement on top of Statutory Maternity Pay paid to eligible employees while on shared parental leave.
Continuous Leave	A full block of time off work as Shared Parental Leave
Discontinuous Leave	Where blocks of time off work as Shared Parental Leave are mixed with time back at work

Paternity / Co Parent Leave	The entitlement for 2 weeks of leave for the eligible employees where they are not the “primary carer”.
Primary Carer	The birth parent or the adoptive parent who intends to take maternity or adoption/surrogacy leave.
Partner	The person who, at the date of the child's birth or adoption, is married to, the civil partner of, or the partner of the primary carer.
Curtail	When the primary carer gives notice to end their maternity or adoption leave ('notice of curtailment') to create an entitlement to shared parental leave.
MATB1 Form	The form given to a pregnant employee by a doctor or registered midwife.
Expected Week of Childbirth	The date given on the MATB1 form confirming which week (commencing on a Sunday) that the baby is expected to be born.
Qualifying Week	The 15 th week before the expected week of childbirth.
Matching Week	The week when an adoption agency notifies an employee that they have been matched with a child.
Shared Parental Leave in Touch Day (SPLIT) Day	Up to 20 days where an employee on shared parental leave can, with prior management approval, attend work, undertake training or keep in touch with work developments through other means, without bringing the leave period to an end.
Parental Leave	A type of unpaid leave where eligible employees can take up to 18 weeks' unpaid leave for each child.
Parental Bereavement Leave and Pay	The entitlement for two weeks of leave if an employee's child dies before they turn 18, or there is a stillbirth/termination after 24 weeks of pregnancy.
Returner's Bonus	An enhanced financial benefit paid to SOAS employees on their return from shared parental leave.

4. Roles and Responsibilities

4.1. Managers

- 4.2. Should ensure that employees are aware of this policy and understand their own responsibilities.
- 4.3. Should encourage and foster a team culture where expectant employees feel safe and supported in sharing an upcoming shared parental leave and discussing their needs and adjustments.
- 4.4. Support options should be proactively discussed with employees, and HR advice sought when needed.
- 4.5. Employees on shared parental leave should be kept informed (and consulted with, where appropriate) regarding any important business changes or announcements that may affect them.
- 4.5.1. Requests for support and adjustments should be considered sympathetically and should be vigilant in ensuring there is no discrimination against prospective parents or employees recently returned from shared parental leave.

- 4.5.2. Be mindful of an employee's personal sense of confidentiality, as well as the General Data Protection Principles (GDPR) when processing information related to pregnancy or maternity leave. It is good practice to seek the employee's view and gain consent on how and when their news is communicated.
- 4.5.3. Are responsible for confirming to the HR department key dates related to shared parental leave, including a change of return date, SPLIT days or resignations. These should be completed through [UniDesk](#).

4.6. Employees

- 4.6.1. Must complete the Shared Parental Leave Notification Form (available on the [SOAS intranet](#)) and submit the requirement document no later than the required deadlines (as set out in section 8) This should be completed through [UniDesk](#).
- 4.6.2. Inform their manager as soon as possible if there are any changes related to their shared parental leave.

4.7. The University

- 4.7.1. Will respond quickly and fully to any reports or concerns of harassment, victimisation or discrimination related to an employee's maternity status.
- 4.7.2. Will review this policy regularly, to ensure consistency, fairness and effectiveness, and to reflect any changes in employment legislation.
- 4.7.3. Will monitor and report on the outcomes and impact of this policy annually and in line with the Equality Act 2010.

5. Eligibility for Shared Parental leave

- 5.1. Employees are entitled to take up to 52 weeks shared parental leave when the below criteria are satisfied:
- 5.2. The "primary carer" is entitled the maternity/ adoption leave and has curtailed their leave before the full 52-week entitlement is taken.
- 5.3. The employee has responsibility for care of the child through either being:
 - The "primary carer" and shares responsibility for the care of the child with another parent; or
 - A biological parent and shares responsibility for the care of the child with another parent; or
 - The partner of the birth parent and shares responsibility for the care of the child with another parent.
- 5.4. The employee has worked for the university for at least 26 weeks at the Qualifying or Matching Week and still be employed in the week before the Shared Parental Leave is taken.
- 5.5. The "other parent" must have worked (in an employed or self-employed capacity) in Great Britain in at least 26 of the 66 weeks before the expected week of childbirth/date of

placement. In 13 of those weeks, they must have earned average weekly earnings at minimum [set by the Government](#) and have paid either class 1 or class 2 national insurance contributions in those weeks (or hold an exemption certificate for those weeks).

- 5.6. The employee and the other parent must give the necessary statutory notices and declarations (contained in the Shared Parental leave Notification Form, available on the [SOAS intranet](#)) including notice to end any maternity/adoption leave or pay periods.

6. Eligibility for Shared Parental Pay

- 6.1. To qualify for Shared Parental Pay:

- The employee must have qualified for Shared Parental Leave (see section 5).
- The employee's average earnings are above the "lower earnings limit" [set by the Government](#) for the relevant tax year.
- The primary carer must have qualified for Statutory Maternity/ Adoption Pay or Maternity Allowance.

- 6.2. Statutory Shared Parental Pay (26 to 30 weeks' service)

- 6 weeks at 90% of the employee's average weekly earnings
- 33 weeks at a rate [set by the Government](#) for the relevant tax year, or at 90% of the employee's average weekly earnings, if this figure is lower than the Government's set weekly rate.
- 13 weeks' unpaid leave.

- 6.3. Occupational Shared Parental Pay (38 to 51 weeks' service)

- Employees with 38 to 51 weeks' service at the end of the "Qualifying or Matching Week" are entitled to OSPP (inclusive of SSPP) for 39 weeks at the following rates:
- 12 weeks at full pay.
- 4 weeks at half pay.
- 23 weeks at the SSPP rate [set by the Government](#) for the relevant tax year, or at 90% of the employee's average weekly earnings, if this figure is lower than the Government's set weekly rate.
- Remaining 13 weeks' unpaid leave.

6.4. Occupational Shared Parental Pay (52 weeks' service)

- Employees with 52 weeks' service at the end of the "Qualifying or Matching Week" are entitled to OSPP (inclusive of SSPP) for 39 weeks at the following rates:
- 18 weeks at full pay
- 8 weeks at half pay
- 13 weeks at the SSPP rate [set by the Government](#) for the relevant tax year, or at 90% of the employee's average weekly earnings, if this figure is lower than the Government's set weekly rate.
- Remaining 13 weeks' unpaid leave

If an employee who has received Occupational Shared Parental Pay does not return to the work for a period of at least 3 months, they will be required to repay the university the difference between the Occupational and Statutory Shared Parental Pay.

7. Starting Shared Parental leave

7.1. Before the primary carer or partner can take Shared Parental Leave, the primary carer must either return to work before the end of their maternity or adoption/ surrogacy leave or have provided the curtailment notice.

7.2. The start date can be no later than:

- After the compulsory maternity leave period (not applicable for adoption), which is the two weeks after birth; and
- At least eight weeks after the date on which the primary carer gave the maternity/adoption leave curtailment notice to the university; and
- At least one week before what would be the end of the 52-week maternity or adoption/ surrogacy leave period.

8. Notification Requirements

8.1. An employee should notify their line manager as soon as possible to talk about plans/benefits/entitlements and to enable support from the university. There are three stages of the Shared Parental Leave Notification Form which must be completed before Shared Parental Leave can be taken. Each stage requires the employee to complete and submit the following notices:

8.1.1. Curtailing the Maternity or Adoption/ Surrogacy Leave of the Primary Carer.

- The child's primary carer must have already returned to work or must complete a curtailment notice, giving at least eight weeks' written notice to end maternity leave before they can take Shared Parental Leave. The notice must state the date maternity/adoption leave will end.
- In cases where the primary carer withdraws notice of curtailing their maternity or, adoption/ surrogacy leave; this can only happen in the follow limited circumstances:
- If the primary carer has not returned to work; and

- It is realised that neither parent is in fact eligible for Shared Parental Leave. In this case and curtailment is withdrawn within eight weeks of the date of the Shared Parental Leave Form being submitted; or
- The curtailment notice was originally provided before the birth or adoption of the child, in which case it can be revoked in writing up to eight weeks after it was given, or up to six weeks after the birth /adoption.
- Where the partner of the primary carer sadly dies.

8.1.2. Giving Notice of Entitlement and Intention to take Shared Parental Leave.

- The employee, whether the primary carer or the partner, must provide the university with a non-binding 'notice of entitlement and intention' in writing through the Shared Parental Leave Notification Form at least eight weeks before the start date of the first period of Shared Parental Leave.
- Each section of the form must be completed including all information and declarations from both parents.
- Within 14 days of receiving a notice of entitlement and intention from the employee, whether they are the primary carer or partner, the university can request:
 - A copy of the child's birth certificate within 14 days of birth; or
 - Documentary evidence from the adoption agency confirming the matching or placement date; and
 - The name and address of the other parent's employee (or declaration that the other parent has no employer).

8.1.3. Scheduling of Shared Parental Leave.

- To take a period of Shared Parental Leave, the employee must provide the university with written notice through the Shared Parental Leave Notification Form eight weeks before the start of the first period of Shared Parental Leave.
- The notice must include the start and end dates for each period of leave.
- Shared Parental Leave can start on any day of the week, but must be in complete weeks (7 calendar days),
- Employees requesting a single continuous block of Shared Parental Leave will automatically be entitled to their requested time off.

9. Discontinuous/ Split Period of Shared Parental Leave

- 9.1. If employees wish to request a pattern of discontinuous leave where the Shared Parental Leave is combined with periods of work, this should be discussed with their manager first.
- 9.2. The University will always aim to agree to requests for discontinuous Shared Parental Leave. However, there are circumstances in which the pattern cannot be approved. This will only be done in circumstances where the absence would cause undue disruption to university business.
- 9.3. Refusals must be approved by the relevant Dean of College or Director of Professional Service before being confirmed. Written notice of the refusal will be given no more than two weeks

after the request is received giving the reasons why. Where possible alternative patterns of leave should be proposed.

- 9.4. If no agreement has been reached within that two-week discussion period, the employee is entitled to take the leave as one continuous period of leave. In that event, the employee must choose a start date for the leave that is at least eight weeks from the date on which the period of leave notice was originally given. The employee must notify the university of that date within five days of the end of the two-week discussion period.
- 9.5. If the employee does not choose a start date within these five days, then the period of continuous leave will start on the date of the first period of leave requested in the period of leave notice, unless the employee withdraws their request.

10. Varying, Cancelling or Adding to Shared Parental Leave

- 10.1. Employees can submit up to three notifications specifying leave periods that they are intending to take. The university must be provided with eight weeks' written notice before the original start date of the planned leave.
- 10.2. The eight weeks' notice requirement will be waived where an employee's Shared Parental Leave was planned to start within the first eight weeks of the child's birth or adoption, and the child is born earlier than the Expected Week of Childbirth. Instead, written notice should be given as soon as possible.
- 10.3. If the circumstances of an employee who has booked Shared Parental Leave changes and they will no longer be responsible for caring for the child, their entitlement to both shared parental leave and pay will immediately cease and they must inform the HR Operations Team via [UniDesk](#) without delay.
- 10.4. If the employee has any Shared Parental Leave arranged within eight weeks of their entitlement ceasing, the university can still require them to take the time off if it is not reasonably practicable for the employee to return to work.
- 10.5. If the remaining parent will be continuing to care for the child, then they will still be eligible to take their Shared Parental Leave entitlement. Any outstanding leave from the other parent can be transferred to their own entitlement if they can obtain the signed agreement of the other parent confirming a variation of leave entitlement.
- 10.6. In the sad event that the partner of the employee dies, and employee is taking, or is entitled to Shared Parental Leave then they will continue to be eligible. Any Shared Parental leave that was due to be taken by the deceased parent may be transferred to the other parent if the other parent is eligible for Shared Parental Leave.
- 10.7. In such circumstances, notice should be given as soon as is reasonably practicable if eight weeks' notice cannot be given. If the parent has already given three notices to take leave they must be allowed to submit one further notice to book/amend Shared Parental Leave.

11. Rights During Shared Parental leave

- 11.1. During Shared Parental Leave, all terms and conditions of the employee's contract, except normal pay will continue. This includes the accrual of annual leave, any pay rises and the right to return to work. Salary will be replaced by Shared Parental Leave Pay if the employee is eligible for it.
- 11.2. Where Shared Parental Leave prevents employees from being able to use their annual leave entitlement within the year, these hours can be carried forward into the next annual leave year.

12. Shared Parental in Touch (SPLIT) days

- 12.1. Reasonable contact should be maintained with employees during their Shared Parental Leave. This may be to discuss their plans for returning to work, to discuss any special arrangements to be made or training to be given to ease their return to work, or to update them on developments at work during their absence.
- 12.2. Employees can also request, entirely at their own discretion but with the agreement of their manager, to carry out up to 20 days' work or attendance at meetings or training during their shared parental leave without bringing it to an end. These are known as 'Shared Parental in Touch Days'.
- 12.3. Employees will be paid for the number of hours worked as part of their SPLIT day offset against any statutory or occupational shared parental pay made for the same day.

13. Returning to Work

- 13.1. On return from Shared Parental Leave, either the primary carer or their partner will receive an additional 8 weeks full pay payable over 8 months (i.e. 1 additional week's full pay per month), provided the employee receiving this payment has 52 weeks' continuous service with SOAS at the 15th week before the Expected Week of Childbirth and has taken Shared Parental Leave in accordance with this policy. Where the primary carer and partner both work for SOAS and both have over 52 weeks' service, only one of them can receive the additional 8 weeks' pay.
- 13.2. If the employee wishes to return to work earlier or later than the planned date, they must give their manager 8 weeks' written notice in advance.
- 13.3. If the employee does not give 8 weeks' notice of the change of the intended return to work date, the university is entitled to postpone the employee's return to work until the 8 weeks' notice has elapsed from the time notice was given (or the date the employee attempted to return if no notice was given), or until the date on which the employee is otherwise due to return, whichever is the sooner.
- 13.4. Where an employee returns to work after Shared Parental Leave, and this period of leave is (when added to any other period of family related leave), 26 weeks or less; they will return

to the same job with the same terms and conditions as before, subject to any increases in salary.

- 13.5. Where an employee returns to work after Shared Parental Leave, and this period of leave is (when added to any other period of family related leave), more than 26 weeks; may either return to their original role or, if there are exceptional reasons as to why that is not reasonably possible, they will return to another suitable job that is on terms and conditions not less favourable.

14. Pension

- 14.1. Employees eligible for Statutory Shared Parental Leave Pay will continue to make contributions but based on the rate of pay being received. SOAS' employer contributions will be based on the normal salary and also pay the shortfall in the employee's contributions.
- 14.2. After this, during any unpaid periods of Shared Parental Leave, membership will be paused until employee contributions resume. Employees can choose to build benefits during this period and repay SOAS should they want to.
- 14.3. If an employee is not eligible for Statutory Shared Parental Leave Pay, they will still be able to build some benefits. SOAS will pay the employee contributions plus the employer contributions for the first 26 weeks of the Shared Parental Leave. This will be based on normal salary from before the leave started. The benefits built up will be at the same as before the leave started.
- 14.4. Further information can be found on the USS website [Becoming a parent](#) and on the SAUL website [Life changes | SAUL](#).

15. Redundancy or Reorganisation

- 15.1. If the college or directorate undergoes any reorganisation while an employee is on shared parental leave, they will be fully involved and consulted during the process.
- 15.2. No employee will be selected for redundancy for a reason related to their Shared Parental Leave. Any dismissal on these grounds would be automatically unfair and regarded as unlawful discrimination. This protection begins on the day that a period of Shared Parental Leave begins.
- 15.3. If the employee takes less than six weeks of Shared Parental Leave the protection ends of the last day of each period of leave.
- 15.4. If the employee takes six weeks or more of continuous Shared Parental Leave, the protection continues for 18 months following the birth or adoption of the child.
- 15.5. More details to be found in Management of Reorganisation and Change Policy, available on the [SOAS intranet](#).