



HM Government

Civil Service Employee Policy

Shared Parental Leave

A guide for parents having a
baby and their managers

This booklet is for parents having a baby where at least one of you works in the Civil Service. To make the booklet simple to read, we have referred to the woman who gives birth as the ‘mother’. There is a separate guide for couples adopting children or becoming parents through surrogacy.

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Leave and pay when having a baby

Different types of leave and pay have different rules about who can take them.

It is a good idea to use this calculator to check each one to see if it applies to you <https://www.gov.uk/pay-leave-for-parents>

Note: The amounts given on this site are the statutory rates of pay to which eligible employees are entitled by law. However, some employers, including the Civil Service, pay more than the statutory rate. You and your partner will need to check with your employers to see what they will pay you during your leave.

Maternity Leave

If you are having a baby, as an employee you are entitled to 52 weeks maternity leave. You can start maternity leave 11 weeks before your baby is due. You do not have to use the full 52 weeks maternity leave but you must take a minimum of two weeks maternity leave following the birth. This is increased to four weeks following the birth of your baby if you are a manual worker, for example a factory worker.

For employees, maternity leave is a day one right. This means that you are entitled to take it as soon as you start working for an employer.

Maternity Pay

If you are taking maternity leave, you may be entitled to statutory maternity pay. This is not a day one right. This means you need to meet eligibility conditions. You can use this website to see if you meet these conditions <https://www.gov.uk/maternity-paternity-calculator>

You should be aware that statutory maternity pay is paid at a higher rate than statutory shared parental pay for the first six weeks. If you are entitled, statutory maternity pay is paid for a total of 39 weeks.

As a civil servant, you may be entitled to have your statutory maternity pay topped up for the first 26 weeks to full pay (or 39 weeks in some departments). Full pay is sometimes referred to as occupational or contractual pay. It is the amount you would be earning if you were not on maternity leave. You will need to check your maternity leave policy to see if you are entitled to full pay.

Maternity Allowance

Some mothers are not entitled to statutory maternity pay but are entitled to maternity allowance. You may be able to get this allowance if:

- you are employed but can't get statutory maternity pay
- you are self-employed
- you have recently stopped working.

There is a calculator to help you work out if this applies to you or your partner at <https://www.gov.uk/maternity-allowance/eligibility>

Maternity allowance normally lasts for 39 weeks and is claimed from Jobcentre Plus.

Leave and pay when having a baby

Paternity Leave

When your partner is having a baby, you may be entitled to paternity leave. This website will help you work out if you are eligible <https://www.gov.uk/paternity-pay-leave/eligibility>

Despite its name, it applies to both male and female partners of the mother.

Paternity leave can only be taken when the baby has been born and must finish within 56 days of the birth or the due date if the baby is early. Paternity leave can't be taken after shared parental leave has been taken.

Paternity Pay

If you meet the conditions for paternity pay, you will be entitled to the statutory weekly rate. The website above will help you work out how much this is. Most civil servants are entitled to full pay while on paternity leave. You will need to check your paternity leave policy to see if you are entitled.

Ante-natal appointments

If you are the pregnant mother, you are entitled to reasonable paid time off to attend ante-natal appointments.

The partner of a pregnant woman has a statutory right to take unpaid time off to accompany the mother to two ante-natal appointments.

You need to check if your department pays for this time off.

Shared Parental Leave

Shared parental leave is a way of sharing the entitlement to maternity leave and, in some cases, maternity allowance between parents. It is explained more fully in this booklet.

Shared Parental Pay

In addition to sharing leave, you can also share pay.

Shared parental pay is a way of sharing the entitlement to maternity pay or maternity allowance between parents. It is explained more fully in this booklet.

Shared Parental Leave

Shared parental leave is a way of sharing the entitlement to maternity leave and, in some cases, maternity allowance between parents.

To opt into shared parental leave, the mother must end her maternity leave early. Any untaken weeks of maternity leave can then be converted into shared parental leave.

The mother must take a minimum of two weeks compulsory maternity leave. This is increased to four weeks for manual workers. This means that you can take a maximum of 50 weeks shared parental leave or 48 if the mother is a manual worker.

Unlike maternity leave, where only the mother can take time off and it has to be taken all in one go, shared parental leave offers more flexibility. For example, it can be taken by either you or your partner, or both of you at the same time or at different times. You can return to work and take annual leave between periods of shared parental leave.

You can submit up to three applications and if eligible, you can take shared parental leave in a single block for each application you submit. However, you and your manager can agree that you take it in a larger number of separate periods. It is important to have early conversations with your manager to agree your leave pattern.

Shared parental leave must be taken following the birth and within the first 52 weeks of the baby being born.

Eligibility

Shared parental leave is only available to the two parents caring for a baby. This means you must both meet certain conditions. The easiest way to check is to use the online calculator at <http://www.gov.uk/pay-leave-for-parents>

It is your responsibility to check that you are eligible. You and your partner will be asked to declare that you meet the qualifying conditions.

To take shared parental leave, you must be an employee. If you or your partner is self-employed, an agency worker or not currently working, you may still be eligible as a couple to opt into shared parental leave but only the employee will be able to take the leave.

For you to take shared parental leave, you and your partner must meet the following conditions.

You must be sharing the caring responsibility for the baby with either

- your husband, wife, civil partner
- the baby's other parent
- your partner if they live with you and the baby.

You or your partner must be entitled to maternity pay or leave or maternity allowance.

Shared Parental Leave

You must also:

- have been employed by the same employer continuously for at least 26 weeks by the end of the 15th week before the baby is due, and
- stay with the same employer while you take shared parental leave.

During the 66 weeks before the week the baby is due, your partner must:

- have worked for at least 26 weeks (they don't need to be in a row), and
- for 13 of the 66 week period earned an average of £30 a week or more.

This can be as an employee, worker or self-employed person. Your partner doesn't have to be working when your baby is born or when you start shared parental leave.

Shared Parental Pay

Shared parental pay is a way of sharing the entitlement to maternity pay or maternity allowance between the parents.

To opt into shared parental pay, the mother must end her maternity pay or allowance early. Any untaken weeks of maternity pay or allowance can then be converted into shared parental pay.

The mother must take a minimum of two weeks compulsory maternity pay or allowance. This is increased to four weeks for manual workers.

This means that you can take a maximum of 37 weeks shared parental pay or 35 weeks if the mother is a manual worker.

Remember you must deduct the number of weeks maternity pay taken before the baby is born as well as the maternity pay taken after the birth. Maternity pay here includes any weeks of occupational maternity pay which the mother takes.

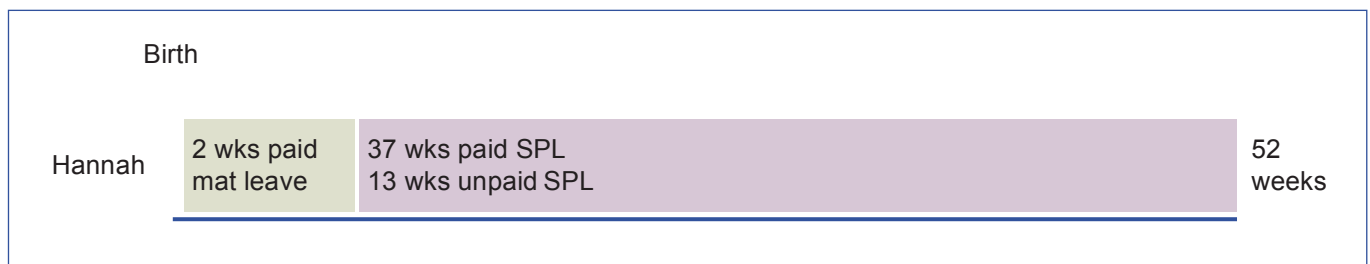
Note that any weeks on paternity pay are not deducted.

Example – mother takes the minimum 2 weeks compulsory paid maternity leave

Hannah takes the minimum 2 weeks paid maternity leave after the baby is born and ends her maternity leave early to opt into shared parental leave (SPL).

Hannah converts 50 weeks untaken maternity leave into 50 weeks shared parental leave. This means that:

- 37 weeks untaken paid maternity leave are converted into 37 weeks paid shared parental leave, and
- 13 weeks unpaid maternity leave are converted into 13 weeks unpaid shared parental leave.



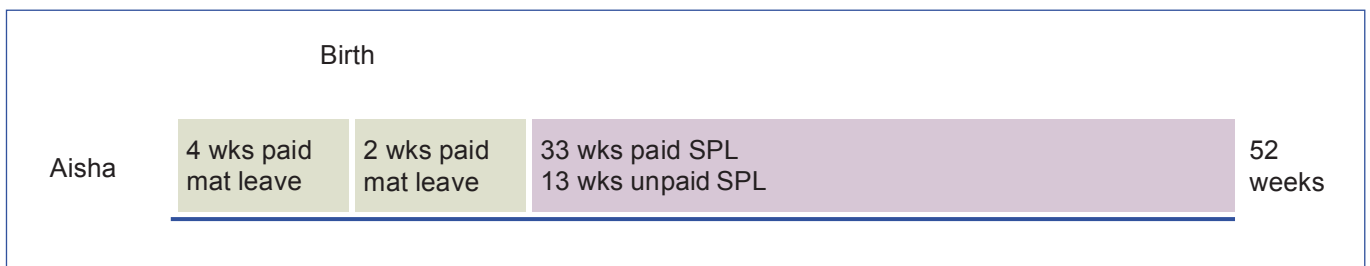
Shared Parental Pay

Example – mother takes more than 2 weeks compulsory paid maternity leave

Aisha takes 4 weeks paid maternity leave before the baby is born and 2 weeks following the baby’s birth, taking a total of 6 weeks paid maternity leave. Aisha ends her maternity leave early to opt into shared parental leave.

Aisha converts 46 weeks untaken maternity leave into 46 weeks shared parental leave. This means:

- 33 weeks untaken paid maternity leave are converted into 33 weeks paid shared parental leave, and
- 13 weeks unpaid maternity leave are converted into 13 weeks unpaid shared parental leave.



Eligibility

To get shared parental pay, you must meet the conditions for shared parental leave and one of the following must apply:

- you are entitled to statutory maternity pay
- you are entitled to statutory paternity pay and your partner is entitled to statutory maternity pay or maternity allowance.

If you are unsure whether you are entitled to shared parental pay, you can check using the online calculator at

www.gov.uk/pay-leave-for-parents

Statutory and Occupational Pay

The law provides for maternity and shared parental pay to be paid to eligible employees at a statutory pay rate.

Couples who qualify are entitled to a total of 39 weeks statutory maternity pay/maternity allowance and shared parental pay between them.

Some employers top up statutory maternity and/or statutory shared parental pay. If you or your partner can claim occupational maternity pay, this means that the employer is topping up the statutory maternity pay that you are entitled to. In the same way, employers can also top up statutory shared parental pay. It is important that you and your partner find out about the pay arrangements of your employers.

Shared Parental Pay

Mothers who work in the Civil Service may be eligible to take up to:

- 26 weeks maternity leave at full pay
- 13 weeks maternity leave at statutory pay, and
- 13 weeks maternity leave unpaid.

The mother must take at least two weeks paid maternity leave. She can then convert the remaining untaken maternity leave and pay into shared parental leave and pay and take up to:

- 24 weeks shared parental leave at full pay
- 13 weeks shared parental leave at statutory pay, and
- 13 weeks shared parental leave unpaid.

Similarly, once a mother has ended her maternity leave, the eligible partner working in the Civil Service can take up to:

- 24 weeks shared parental leave at full pay
- 13 weeks shared parental leave at statutory pay, and
- 13 weeks shared parental leave unpaid.

You do not have to take the shared parental leave in this order. The number of weeks of shared parental leave will be reduced by the number of weeks maternity leave taken by the mother.

As a civil servant, you must meet certain conditions to be entitled to have your statutory shared parental pay topped up for the first 24 weeks to full pay.

You will need to check your department's shared parental leave policy to see if you are entitled to full pay.

It is important to understand that, as a civil servant, the number of weeks maternity pay or allowance taken will be deducted first from your entitlement to shared parental leave at full pay.

If you are both civil servants, the entitlement to take 24 weeks shared parental leave at full pay is a joint entitlement. This means that, as a couple, you can only take 26 weeks in total of maternity and shared parental leave at full pay.

Some Civil Service departments offer their employees 39 weeks at full pay. This is discussed further in [Annex A](#).

Shared Parental Pay

Example – maternity leave taken affects the amount of shared parental leave at full pay

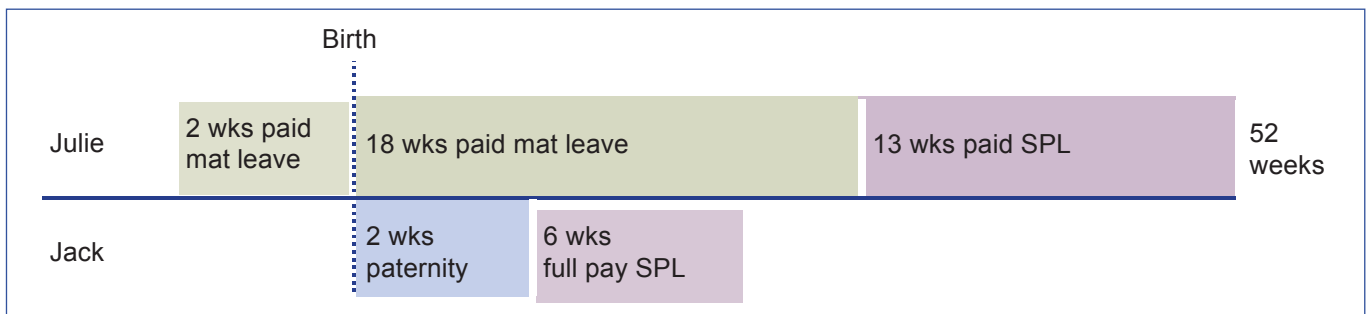
Jack is a civil servant. His partner, Julie, is not. Julie takes 20 weeks paid maternity leave and ends her maternity leave early to opt into shared parental leave.

Julie converts 32 weeks untaken maternity leave into 32 weeks shared parental leave. This means:

- 19 weeks untaken paid maternity leave are converted into 19 weeks paid shared parental leave, and
- 13 weeks unpaid maternity leave are converted into 13 weeks unpaid shared parental leave.

Julie takes 13 weeks paid shared parental leave.

Jack, the civil servant, takes 6 weeks paid shared parental leave at full pay (26 weeks entitlement - 20 weeks paid maternity leave). They decide not to take the 13 weeks unpaid shared parental leave available to them.



Shared Parental Pay

Example – effect of an earlier move to shared parental leave

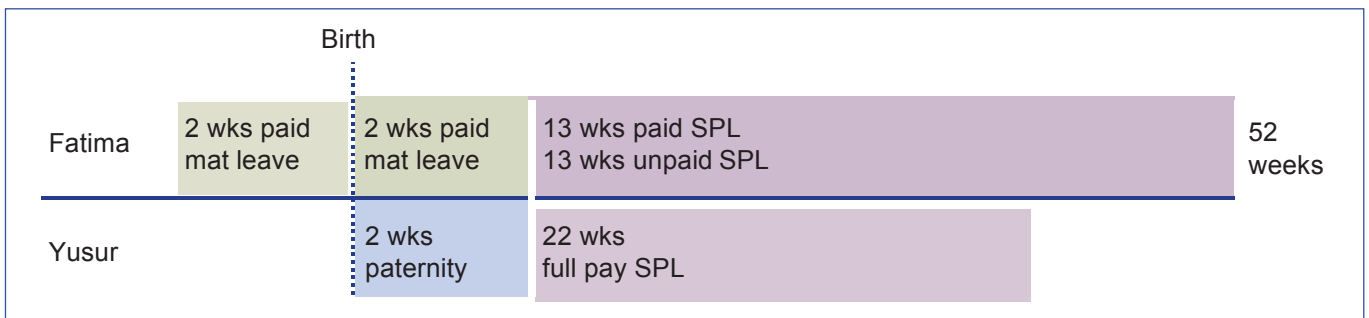
Yusur is a civil servant. Her partner, Fatima, is not. Fatima takes 2 weeks paid maternity leave before the birth and 2 weeks afterwards and ends her maternity leave early to opt into shared parental leave.

Fatima converts 48 weeks untaken maternity leave into 48 weeks shared parental leave. This means:

- 35 weeks untaken paid maternity leave are converted into 35 weeks paid shared parental leave, and
- 13 weeks unpaid maternity leave are converted into 13 weeks unpaid shared parental leave.

Fatima takes 13 weeks paid shared parental leave and 13 weeks unpaid shared parental leave.

Yusur, the civil servant, takes 22 weeks shared parental leave at full pay (26 weeks entitlement - 4 weeks paid maternity leave).



Shared Parental Pay

Example – shared parental pay where both parents are civil servants

Piotr and Halina are both civil servants. Halina takes 4 weeks paid maternity leave and ends her maternity leave early to opt into shared parental leave.

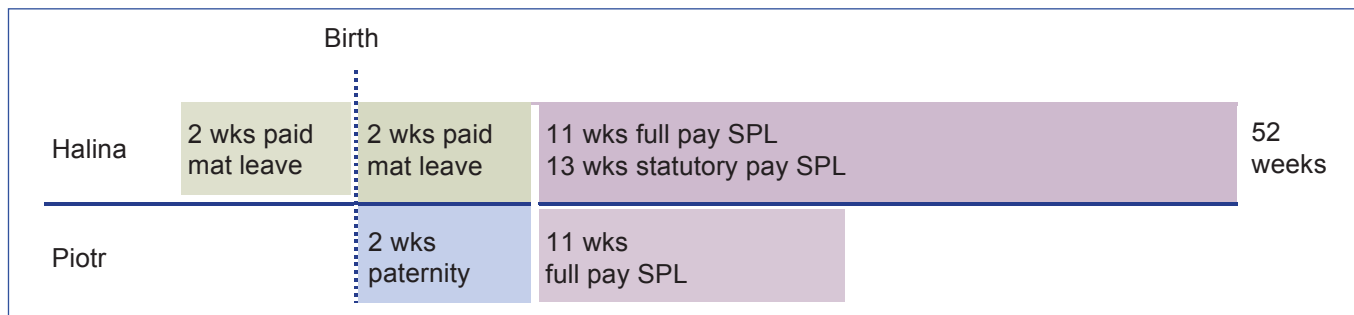
Halina converts 48 weeks untaken maternity leave into 48 weeks shared parental leave. This means:

- 35 weeks untaken paid maternity leave are converted into 35 weeks paid shared parental leave, and
 - 13 weeks unpaid maternity leave are converted into 13 weeks unpaid shared parental leave.
- 22 weeks of the paid shared parental leave is at full pay (26 weeks entitlement - 4 weeks paid maternity leave).

Halina and Piotr take 11 weeks shared parental leave at the same time, both at full pay.

Halina also takes 13 weeks shared parental leave at statutory pay.

As a couple, they take a total of 39 weeks paid maternity leave and shared parental leave combined. They decide not to take the 13 weeks unpaid shared parental leave available to them.



If your partner is not a civil servant, it is important to find out what the pay arrangements are for them. Some employers top up maternity pay but not shared parental pay. This may make a difference to when the mother decides to end her maternity leave.

You should remember that statutory maternity pay is paid at a higher rate for the first six weeks than statutory shared parental pay.

If your partner works outside the Civil Service, any statutory maternity pay or maternity allowance they get will automatically affect the

number of weeks shared parental leave you can have at full pay.

However, once you have opted into shared parental leave, it will not make a difference to your entitlement to shared parental leave at full pay whether your partner gets statutory or occupational shared parental pay.

Remember, as a couple you can get a maximum of 39 weeks maternity pay/maternity allowance and shared parental pay combined. If you are eligible, 26 of those weeks may be topped up to full pay.

Planning your Shared Parental Leave and Shared Parental Pay

You and your partner have three decisions to take:

- when the mother should end her maternity leave/pay or her maternity allowance
- when you would each like to take your shared parental leave
- how you would like to split any shared parental pay which you are entitled to.

Ending the mother's maternity leave

To opt into shared parental leave, the mother must end her maternity leave early to convert any untaken leave into shared parental leave.

Remember the mother has to take a minimum of two weeks maternity leave following the birth of the baby or four weeks if she is a manual worker. A mother who wants to opt into shared parental leave can end her maternity leave in one of two ways:

- she can return to work before the end of her maternity leave: or
- she can give notice to her employer to end her maternity leave early.

If you, as the mother, are a civil servant, you need to check with shared services (or equivalent) how you give notice to end your maternity leave. You must give at least eight weeks notice.

If the mother is not a civil servant, then she will need to speak to her employer to find out what she has to do.

Ending the mother's maternity allowance

To end maternity allowance, the mother will need to contact Jobcentre Plus.

Deciding not to end maternity leave and start shared parental leave

If the mother changes her mind, she can revoke her notice to end her maternity leave at any time up to six weeks following the baby being born. The mother can revoke her application for shared parental leave as long as she has not come to the end of her maternity leave or returned to work.

You can still opt into shared parental leave at a later date. As long as the mother ends her maternity leave early, she can change any untaken maternity leave into shared parental leave. However, shared parental leave must be taken within the first 52 weeks after the birth and you still need to give your manager a minimum of eight weeks notice before taking shared parental leave.

Splitting shared parental leave

Once the mother has given notice to end her maternity leave or allowance, you can take your shared parental leave together or at different times. You can stop and start it, returning to work in between. You can also take annual leave in between your periods of shared parental leave. As long as you and your partner meet the eligibility requirements, one of you can take all the shared parental leave.

Provided the mother has given the correct notice to end her maternity leave, her partner can start their shared parental leave before the maternity leave has ended. This enables you to be off at the same time. However, the partner must take any paternity leave first.

Planning your Shared Parental Leave and Shared Parental Pay

You may find that what you and your partner will be paid affects when and how you want to take your shared parental leave.

You should look at the different options for taking leave and claiming pay until you find one that suits you.

The following examples should help you understand what is possible.

Example – couple share 42 weeks of shared parental leave

Susie is a civil servant. Her partner, Julia, is not. Susie takes 10 weeks paid maternity leave after the baby is born and ends her maternity leave early to opt into shared parental leave.

Susie converts 42 weeks untaken maternity leave into 42 weeks shared parental leave. This means:

- 29 weeks untaken paid maternity leave are converted into 29 weeks paid shared parental leave, and
- 13 weeks unpaid maternity leave are converted into 13 weeks unpaid shared parental leave.

Julia takes 7 weeks paid shared parental leave and 1 week unpaid shared parental leave after her 2 weeks paternity leave. This means they are both off work together for 10 weeks after the baby is born.

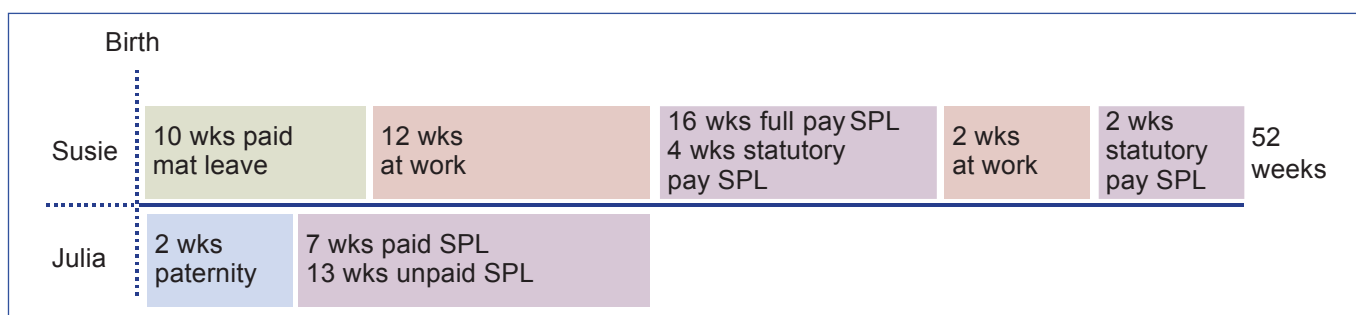
Susie returns to work for 12 weeks during which time Julia takes the remaining 12 weeks unpaid shared parental leave.

Susie, the civil servant, then takes 20 weeks paid shared parental leave. She takes:

- 16 weeks at full pay (26 weeks entitlement – 10 weeks paid maternity leave), and
- 4 weeks at statutory pay.

Susie returns to work for 2 weeks while the grandparents care for the baby and takes the final 2 weeks shared parental leave at statutory pay after this.

Remember, all the shared parental leave must be taken within the first 52 weeks of the baby being born.



Planning your Shared Parental Leave and Shared Parental Pay

Example – couple take shared parental leave together and annual leave

Steve is a civil servant. His partner, Chloe, is not. Chloe takes 2 weeks maternity leave after the baby is born and ends her maternity leave early to opt into shared parental leave.

Chloe converts 50 weeks untaken maternity leave into 50 weeks shared parental leave. This means:

- 37 weeks untaken paid maternity leave are converted into 37 weeks paid shared parental leave, and
- 13 weeks unpaid maternity leave are converted into 13 weeks unpaid shared parental leave.

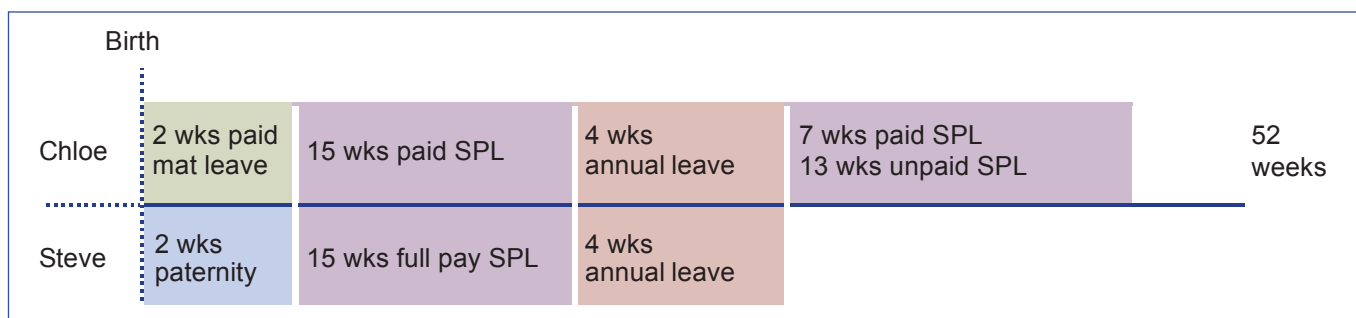
Steve, the civil servant, would be entitled to 22 weeks shared parental leave at full pay (26 weeks entitlement – 2 weeks paid maternity leave). They decide Steve will take 15 weeks shared parental leave at full pay after his 2 weeks paternity leave.

Chloe will also take 15 weeks paid shared parental leave after her 2 weeks paid maternity leave so they can be off together.

They then take 4 weeks annual leave.

Steve returns to work and Chloe takes the remaining 20 weeks shared parental leave. She takes:

- 7 weeks paid shared parental leave, and
- 13 weeks unpaid shared parental leave.



Planning your Shared Parental Leave and Shared Parental Pay

Example – couple alternate single weeks of work with single weeks of shared parental leave

Mateo and Isabella are both civil servants. Isabella takes 2 weeks maternity leave before the baby is born and 2 weeks after and ends her maternity leave early to opt into shared parental leave.

Isabella converts 48 weeks untaken maternity leave into 48 weeks shared parental leave. This means:

- 35 weeks untaken paid maternity leave are converted into 35 weeks paid shared parental leave, and
- 13 weeks unpaid maternity leave are converted into 13 weeks unpaid shared parental leave.

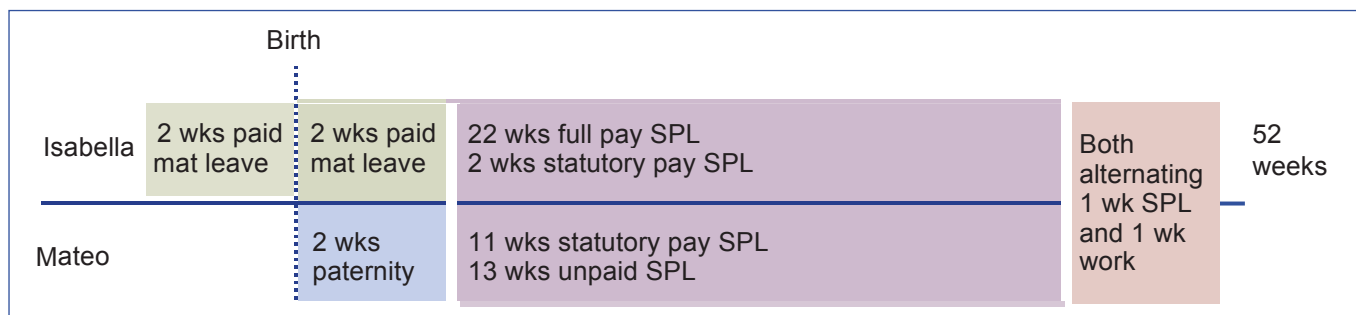
As they are both civil servants, there will be the following shared parental leave for them to share between them:

- 22 weeks shared parental leave at full pay (26 weeks entitlement – 4 weeks paid maternity leave)
- 13 weeks shared parental leave at statutory pay, and
- 13 weeks unpaid shared parental leave.

They decide Isabella will take 22 weeks shared parental leave at full pay and 2 weeks shared parental leave at statutory pay.

Mateo will take 11 weeks shared parental leave at statutory pay and 13 weeks unpaid shared parental leave.

They alternate weeks of shared parental leave and work between them.



Planning your Shared Parental Leave and Shared Parental Pay

Splitting shared parental pay

Once you have decided how you want to split the shared parental leave, you then need to consider how to divide the shared parental pay between you.

- You must deduct any paid maternity leave or allowance you have taken from the entitlement to 39 weeks paid shared parental leave.
- If, as a civil servant, you are entitled to 26 weeks shared parental leave at full pay, you must deduct from this the number of weeks of paid maternity leave or maternity allowance taken by the mother.
- If you are both civil servants who qualify for occupational shared parental pay, you will have a total of 26 weeks paid maternity leave and shared parental leave at full pay between you (unless one or both of you are entitled to 39 weeks at full pay in which case see [Annex A](#)).
- If your partner works outside the Civil Service, their entitlement to occupational shared parental pay does not affect your entitlement to shared parental leave at full pay.
- You can be flexible and take paid and unpaid shared parental leave in any order during the first year after the baby's birth. However, they must not add up to more than you are entitled to as individual employees and as a couple.

Example – non-civil servant entitled to maternity leave at full pay

Sean is a civil servant. His partner, Siobhan, is not. Siobhan's employer will pay 12 weeks of occupational maternity pay but does not pay occupational shared parental pay.

Siobhan takes 6 weeks paid maternity leave before the birth and 6 weeks after the baby is born. She ends her maternity leave early to opt into shared parental leave.

Siobhan converts 40 weeks untaken maternity leave into 40 weeks shared parental leave. This means:

- 27 weeks untaken paid maternity leave are converted into 27 weeks paid shared parental leave, and
- 13 weeks unpaid maternity leave are converted into 13 weeks unpaid shared parental leave.

Sean, the civil servant, takes 14 weeks shared parental leave at full pay (26 weeks entitlement - 12 weeks paid maternity leave).

Siobhan takes 13 weeks paid shared parental leave at statutory pay as the employer does not pay occupational shared parental pay.

They decide not to take the 13 weeks unpaid shared parental leave available to them.

As a couple they take a total of 39 weeks paid maternity leave and shared parental leave combined.

Planning your Shared Parental Leave and Shared Parental Pay



Example – non-civil servant’s occupational shared parental pay does not affect civil servant’s entitlement to full shared parental pay

Ben is a civil servant. His partner, Jess, is not. Jess’s employer will pay 12 weeks maternity leave or shared parental leave at full pay.

Jess takes 2 weeks paid maternity leave after the baby is born and ends her maternity leave early to opt into shared parental leave.

Jess converts 50 weeks untaken maternity leave into 50 weeks shared parental leave. This means:

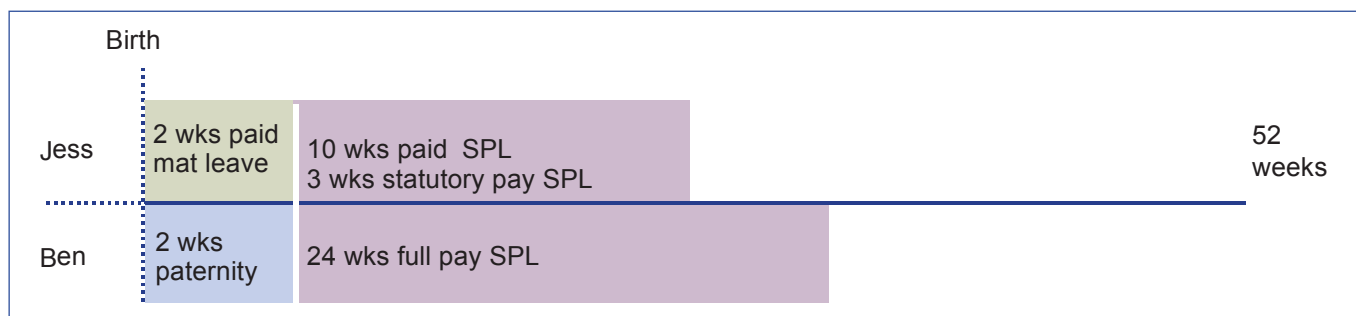
- 37 weeks untaken paid maternity leave are converted into 37 weeks paid shared parental leave, and
- 13 weeks unpaid maternity leave are converted into 13 weeks unpaid shared parental pay.

Ben, the civil servant, takes 24 weeks paid shared parental leave at full pay (26 weeks entitlement – 2 weeks paid maternity leave).

Jess takes 13 weeks paid shared parental leave. 10 weeks are at full pay (12 weeks entitlement - 2 weeks maternity pay) and 3 weeks at statutory pay.

They decide not to take the 13 weeks unpaid shared parental leave available to them.

As a couple they take a total of 39 weeks paid maternity leave and paid shared parental leave combined.



Planning your Shared Parental Leave and Shared Parental Pay

Talking to your manager

Once you have some idea what you might want to do, you should talk to your manager. This way you can discuss when you would like to begin your leave, how long it will be for and if you want to take it in one block or a number of separate blocks.

Having early discussions will help you to agree the time off that you need and help your manager think about how this will affect the business.

You may find it helpful to complete the shared parental leave planner at [Annex B](#) and to go through this with your manager.

Remember your partner will also need to have these discussions with their employer.

Applying for Shared Parental Leave

You should apply at least eight weeks before you want your shared parental leave to start.

This is called the eight-week notice period. This eight-week notice period also applies to the start of any changed arrangements you ask for. Remember your partner will also have to let their employer know when there has been a change.

Your manager cannot refuse your request if you meet the eligibility requirements and you are taking your shared parental leave in a single block. However, if you make an application for a number of separate blocks of leave, your manager doesn't have to agree if they feel the business couldn't support this pattern. Your manager should talk to you about your request. You may be able to work out a compromise.

It is best if you and your manager can agree a pattern that suits both you and the business. If this isn't possible, you have the legal right to take a single block of shared parental leave.

Applying when you haven't sorted out all the details with your manager

If you have not sorted everything out in advance with your manager, you can do so during the first two weeks of the eight-week notice period. You can withdraw or change your application during these first two weeks without it affecting your right to submit three applications. If you want to change your application after these first two weeks, this will count as a second application.

Exercising the right to take a block of leave

If your manager refuses your request to take your shared parental leave in separate blocks, you have five days from the end of the first two week period to let your manager know the dates of the single block of shared parental leave which you will be taking.

This is also what you can do if your manager fails to respond to your request.

Example – one application for separate blocks of shared parental leave

Mark wants to take 8 weeks shared parental leave.

He wants to take 2 weeks after his paternity leave and then return to work for 4 weeks.

He then wants to take a further 6 weeks shared parental leave.

He makes one application for the two blocks of leave.

Mark's manager refuses the request as they feel the business can't support it.

Mark lets his manager know, within five days of the end of the first two week notice period, that he will be taking shared parental leave in a single block following his paternity leave.

This means Mark will take 10 consecutive weeks – 2 weeks paternity leave and 8 weeks shared parental leave.

Applying for Shared Parental Leave

Second and third applications

You can make up to three applications for shared parental leave, including your original application. You can apply to take more leave or to change the pattern of your leave.

Each time you put in an application, you can take the shared parental leave you are asking for in a single block.

So if you put in three applications, you can take your shared parental leave in up to three blocks provided you give the right notice.

Example – two applications for shared parental leave

Jenny decides to take 16 weeks shared parental leave.

She gives eight weeks notice and is able to take 16 weeks shared parental leave after her maternity leave finishes.

During her shared parental leave, Jenny decides to take another 4 weeks shared parental leave.

She puts in the second application eight weeks before she is due to start her further 4 weeks of shared parental leave.

Making an application

It is best to put in an application that you have already agreed with your manager. They can then tick it through. Remember that your partner has to apply to their employer at the same time.

Once you have agreed what your shared parental leave will be, you need to fill out the application form.

Once your application has been submitted

Your manager should let you know that they have signed off your application.

Shared services or the equivalent in your department should confirm that your proposed leave and pay arrangements have been agreed and should confirm your pay during your absence.

Babies born early or late

If your baby arrives sooner or later than expected, you need to talk to your manager and shared services (or equivalent) if this will change when you want to start your shared parental leave.

Applying for Shared Parental Leave

Generally speaking, if you have booked your shared parental leave to start within eight weeks of when your baby is due and your baby is born early, you can start your leave and pay earlier. You should both give your employers notice as soon as reasonably practical after the birth.

If you intend to start your shared parental leave more than eight weeks after your baby is due and your baby is born early, any changes to leave and pay will require eight weeks notice.

A notice to change your shared parental leave must be given as soon as reasonably practical following the birth. However, this will not count as one of the three notices you can give to your employer.

If your baby is born late, you will need to speak to your manager and shared services (or equivalent) as soon as it is reasonably practical to do so.

Working with your partner's employer

Some employers have clear shared parental leave policies and give enhanced shared parental pay. For other employers, your partner's application may be their first experience of shared parental leave.

Your department will not become involved in discussions with your partner's employer. This is because they will not know the details of your partner's employment terms and conditions.

In talking to their employer, your partner may find it helpful to refer to the BEIS guidance <https://www.gov.uk/guidance/shared-parental-leave-and-pay-guidance-and-tools-for-parents>

Legal rights

You may wish to be aware of your core legal rights. The relevant legislation is the Shared Parental Leave Regulations 2014 and the Shared Parental Pay Regulations 2014 or, in Northern Ireland, the Shared Parental Leave Regulations (Northern Ireland) 2015 and the Shared Parental Pay Regulations (Northern Ireland) 2015. These regulations provide the following.

- Both members of a couple have a legal right to take up to 50 weeks of shared parental leave between them if they both meet the eligibility rules (48 weeks if the mother is a manual worker). This can be taken from two weeks after the baby is born (four weeks if the mother is a manual worker) until the baby's first birthday.
- If eligible, a couple have a legal right to up to 37 weeks of statutory shared parental pay (35 weeks if the mother is a manual worker) between them if they meet the eligibility rules.
- Each time you apply, you have a legal right to take your shared parental leave in a single block. You can submit up to three applications which means you can take it in three separate blocks. However, your employer can agree to your taking it in a larger number of blocks. Each block must be made up of whole weeks.
- A mother must give notice that she will end her maternity leave early to opt into shared parental leave. The amount of shared parental leave and pay available is automatically reduced by the amount of maternity leave and pay taken.
- You must give eight weeks notice each time you apply to take shared parental leave.

Keeping in touch and returning to work

It can be helpful to keep in touch with your manager and colleagues during your shared parental leave. Before you go on leave, agree with your manager how you would like to do this.

If you are taking a few weeks away, some phone calls with your manager may be enough. You can use these to discuss any concerns you may have and to find out what is happening at work.

If you are going to be away for a number of months, you may want a more formal arrangement for keeping in touch.

Shared parental leave keeping in touch days – SPLIT days

Once you have opted into shared parental leave, your or your partner's maternity keeping in touch days will stop. However, you will get a new entitlement.

During your shared parental leave, you can have up to 20 SPLIT days. Your employed partner can also have up to 20 SPLIT days.

You may wish to come into the office occasionally, attend some key meetings, do some training or join your colleagues for a team event.

You may also wish to use your SPLIT days as part of a phased return to work, coming into work for a few hours or days a week just before your shared parental leave finishes. You may find this helps you ease back into work.

Keeping in touch days are optional. You and your manager should agree what would suit you both.

If you are on shared parental leave with full pay and use a SPLIT day, you will not get any payment on top of your full pay.

If you use a SPLIT day while you are getting statutory shared parental pay, your pay may be topped up to full pay for that day.

If you use a SPLIT day while you are on unpaid shared parental leave, your pay may be topped up to full pay for that day.

Talk to shared services (or equivalent) about how you apply to be paid for the SPLIT days which you take and what pay you will be eligible for.

Keeping in touch and returning to work

Example – civil servant takes 6 SPLIT days

Siddiq agrees to use some of his SPLIT days to help ease him back into work.

- The first week he will work Tuesday to attend a series of meetings (1 day).
- The second week he will work Monday to catch up with emails and Wednesday to do mandatory e-learning (2 days).
- The third week he will work Monday to do refresher training, Wednesday to go through the work he will be doing on returning to work and Friday to meet with the team (3 days).

Siddiq has worked 6 full days so he will be entitled to 6 days at full pay. As he is on statutory shared parental pay, he will have 6 days of this topped up to full pay.

Annual leave and privilege days

During your shared parental leave, you will continue to build up your annual, public and privilege leave.

You can take your annual, public and privilege leave before or after your weeks of shared parental leave. You will need to speak to your manager and apply for the leave in the normal way.

Returning to work

If you are returning to work on the agreed date, you should speak to your manager to confirm the date and to discuss what you will be doing on your return.

If you wish to return to work early, then you need to speak to your manager as soon as possible so any cover arrangements can be reviewed. You also need to give eight weeks notice of your new return date.

You have the right to return to the same job if your maternity/paternity and shared parental leave combined do not add up to more than 26 weeks.

When your maternity/paternity and shared parental leave exceed 26 weeks, if it is not reasonably practicable to return to the same job, you have the right to return to another job that is suitable and appropriate.

Guidance for managers

Having early discussions

It is a good idea to talk to your team member at the earliest opportunity about their plans for taking leave before and after the birth. This will help you to think about the likely impact on the business. There is some really helpful advice for both you and your team member in the Parental Leave Guide on Civil Service Learning.

Remember either or both parents may plan to take leave. A mother can take maternity leave before and after the birth. A partner of the mother can take paternity leave after the birth. Both parents can opt to take shared parental leave during the baby's first year.

You will also want to discuss any plans your team member has to take annual leave in addition to their shared parental leave, to take a career break or to change their working pattern when they return to work.

Supporting your team member

Shared parental leave can seem quite complicated. Before talking to your team member, it is a good idea to read the guidance available to you.

You will both find the process easier if you can agree the leave arrangements before a formal application is submitted. This is because any changes you agree with your team member will need to go into their partner's application. If you don't agree with what your team member is proposing, try to suggest an alternative.

You may find it helpful to go through the guidance together.

You and your team member may also find it helpful to talk to HR or shared services (or

equivalent). They may wish to talk to other parents who have taken shared parental leave, to have a mentor or buddy and to join a support group.

Handling an application

When you countersign an application for shared parental leave, do your best to check that:

- if your team member is the mother, she has applied to end her maternity leave and pay early
- your team member has given eight weeks notice of when they want to start their shared parental leave
- as far as you are aware, your team member is eligible for shared parental leave
- they are applying for the shared parental leave agreed with you and their application appears to be in line with the guidance in this booklet.

If you are not sure, talk to HR or shared services (or equivalent). Because shared parental leave is complicated, it helps if everyone can work together to spot any mistakes and misunderstandings.

You cannot refuse a request for a single block of shared parental leave. If your team member asks to take shared parental leave in a number of separate blocks, you can:

- agree to the pattern of shared parental leave which your team member is asking for
- suggest a different pattern of leave
- refuse the pattern of shared parental leave.

Guidance for managers

Your team member has the right to take their shared parental leave in a single block. You can't refuse shared parental leave outright.

Asking for extra information

You can ask to see

- a copy of the child's birth certificate (once this is available)
- the name and address of their partner's employer.

You should be given these within 14 days of asking for them. You do not have to speak to the other parent or their employer but you can do so if you wish.

Applications where everything has not been agreed in advance

If you receive an application which you have not seen before, you should deal with it straight away and try to sort out any issues within the first two weeks.

Your team member has to give at least eight weeks notice that they want to start shared parental leave. During the first two weeks of this eight-week notice period, they can make changes without having to make a second application. They can only make three applications in total.

It is important that you talk to your team member within these first two weeks about any concerns you have. If necessary, they can then change the form to include any changes you agree. Remember that this may also mean changing the form that has gone to their partner's employer.

Once you and your team member are happy with the form, send it to shared services (or equivalent).

Dealing with further applications

Once you have agreed the shared parental leave arrangements, your team member can give you two more applications to change these. For each one, they must give you eight weeks notice and, as with the first application, they can make changes within the initial two week period without this counting as a new application.

Changes that help both you and your team member can be agreed informally without this counting towards the limit of three applications. For example, you might agree to change the dates of a period of leave. Let shared services (or equivalent) know what you have agreed. However, you should ask for a formal application if the changes might affect your team member's shared parental pay or have a knock-on effect on their partner's pay or leave.

Deciding if a pattern of leave is right for the business

Issues you and your team member will want to consider are:

- are there any key deadlines which it would be helpful to work around
- is it possible to defer certain projects
- can work be allocated temporarily to another team member
- could someone new be brought in to cover the work temporarily
- who is going to look after any staff in your team member's reporting line
- would your team member be willing to use any of their SPLIT days to cover any important meetings?

Make sure you talk to your manager about the outcome of these discussions.

Guidance for managers

Keeping in touch with your team member

Before they start their leave, you should talk to your team member about how best to keep in touch during their shared parental leave.

You will wish to consider:

- emailing them updates about what is happening in their work area particularly if they do not have access to the departmental intranet
- setting up regular telekits to keep them in touch with developments. These are likely to be particularly helpful as they prepare to come back to work.
- agreeing any use of SPLIT days including any meetings or events it would be helpful for them to attend
- encouraging them to keep in touch with colleagues
- if they are applying to return to another post, supporting them in looking for suitable vacancies
- helping them if issues arise about their shared parental leave or pay
- handing over the keeping in touch arrangements to the new manager if you move on while your team member is still away.

Keeping in touch helps your team member feel that the organisation still cares for them so try to put some arrangements in place.

Supporting your team member back to work

In supporting your team member back to work, you will wish to:

- ensure that they do not come back to a backlog of work which has come in while they were absent. This can be stressful and demoralising
- encourage them to link up with other parents, for example through departmental support groups and mentors
- act where other team members make comments, particularly to male colleagues, trivialising their time away, for example by referring to it as 'a holiday'. As a manager, you have an important role to play in creating a culture where it is the norm for both parents to share child-caring responsibilities
- ensure that parents who have taken shared parental leave are treated fairly in performance management reviews.

Your team member has the right to return to the same job if their parental leave totals 26 weeks or less even if this is taken in a number of separate blocks.

If your team member takes more than 26 weeks leave, they have the right to return to the same job or a similar one if this is not reasonably practical.

Generally, it will be easier for your team member to return to the same job. They may find it difficult to find an alternative job by the date they want to come back unless you are able to arrange something in your work area.

Annex A - Extra advice if your situation is not straightforward

This annex gives advice on how shared parental leave works if your circumstances are not straightforward. If you cannot find the answers to your questions in this booklet, you may wish to read the shared parental leave FAQs on your departmental intranet site. You may also wish to speak to your manager, HR team or shared services (or equivalent).

If you are on probation

You can still apply for shared parental leave and pay during your probation as long as you and your partner meet the eligibility conditions.

If the length of your absence will result in your manager being unable to assess your suitability for the role, your manager may recommend suspending your probation until you return to work.

The total duration of your probation period, in working time, will remain the same but it may be completed over a longer period to take into account your absence.

If you are promoted during your shared parental leave

If you are promoted while you are on shared parental leave, you will receive the new pay terms and conditions from the start date of the new post.

This may be during your shared parental leave or it may be a later date when you have returned to work. The fact that you are on shared parental leave can't be given as the reason for a later start date.

This is because you are given the same protected rights during your shared parental leave as those who take other family-related leave such as maternity leave.

If you or your partner work for an agency

If either you or your partner work for an agency, and you both meet the conditions for shared parental leave, you may still be eligible for shared parental leave and shared parental pay. However, only an employee can take the shared parental leave. Agency workers may be eligible for statutory shared parental pay.

If you are on a fixed term appointment (FTA) contract

If you are on an FTA contract, the same entitlements apply to you as to a permanent employee. This means that if you meet the conditions, you can apply for shared parental leave.

If your shared parental leave ends before your FTA contract ends, you can return to work until you reach the end of your contract.

If your FTA contract ends during your shared parental leave and it has not been extended, your contract will come to an end in the same way it would have done if you had been at work.

Annex A - Extra advice if your situation is not straightforward

If your partner is self-employed

If your partner is self-employed, they can't take shared parental leave. This is because you have to be an employee to take shared parental leave.

However, if you and your partner satisfy the eligibility conditions for shared parental leave you, as the employee, could take shared parental leave and pay.

If your self-employed partner is the mother and is entitled to maternity allowance, she needs to end this early to opt into shared parental leave. It is important, therefore, that she claims this allowance if she is eligible.

Example – civil servant with self-employed partner

Andrei is a civil servant. His partner, Irena, is self-employed.

Irena claims 8 weeks maternity allowance and ends her maternity allowance early to opt into shared parental leave.

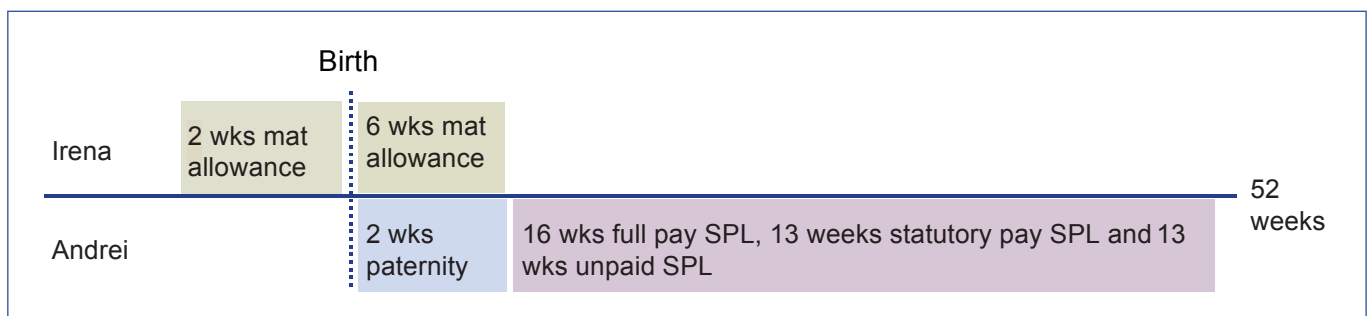
Irena converts 44 weeks into shared parental leave (52 weeks – 8 weeks maternity allowance). This gives an entitlement to:

- 31 weeks paid shared parental leave (39 weeks – 8 weeks maternity allowance), and
- 13 weeks unpaid shared parental leave.

Andrei, the civil servant, takes:

- 18 weeks paid shared parental leave at full pay (26 weeks - 8 weeks maternity allowance)
- 13 weeks shared parental leave at statutory pay, and
- 13 weeks unpaid shared parental leave.

Note: only Andrei can take shared parental leave as the employee.



Annex A - Extra advice if your situation is not straightforward

If you work for a department that gives 39 weeks shared parental leave on full pay

If you or your partner works for a department that offers more than 26 weeks at full pay, then you or your partner can get more paid leave.

For example, if your department offers 39 weeks shared parental leave at full pay, you

will be eligible for up to a total of 39 weeks paid maternity leave and shared parental leave at full pay.

Between you, you will not be able to take more than 39 weeks paid maternity leave and shared parental leave at full pay and neither of you will be able to take more than what your department offers

Example - civil servant works for department which offers 39 weeks shared parental leave at full pay

Jane and Tracey are both civil servants.

Jane's department offers 26 weeks shared parental leave at full pay, 13 weeks shared parental leave at statutory pay and 13 weeks unpaid shared parental leave.

Tracey's department offers 39 weeks shared parental leave at full pay and 13 weeks unpaid shared parental leave.

Jane takes 2 weeks paid maternity leave and ends her maternity leave early to opt into shared parental leave.

She converts 50 weeks untaken maternity leave into 50 weeks shared parental leave. This means:

- 37 weeks untaken paid maternity leave are converted into 37 weeks paid shared parental leave, and
- 13 weeks unpaid maternity leave are converted into 13 weeks unpaid shared parental leave.

Jane is entitled to 24 weeks paid shared parental leave at full pay (26 weeks entitlement – 2 weeks paid maternity leave).

Tracey is entitled to 37 weeks paid shared parental leave at full pay (39 weeks entitlement – 2 weeks paid maternity leave).

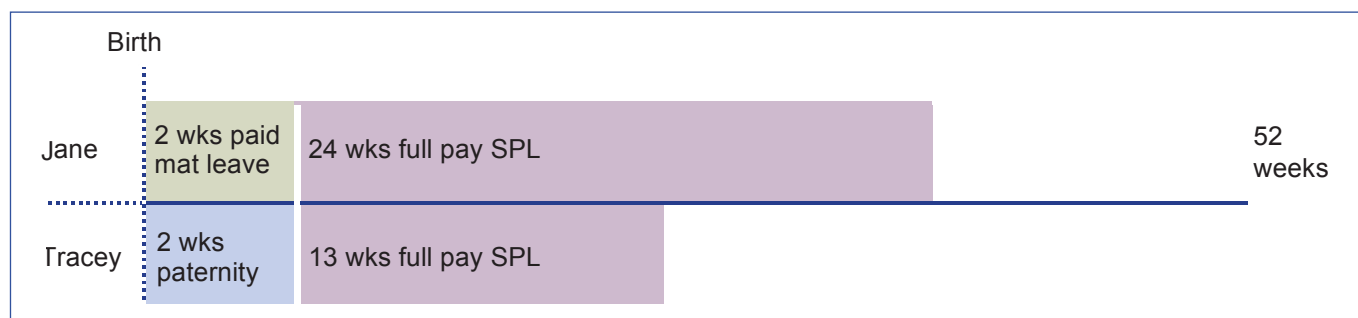
However, as a couple, they can't take more than 39 weeks paid maternity leave and paid shared parental leave combined.

Jane takes 24 weeks shared parental leave at full pay. This means there are only 13 weeks paid shared parental leave remaining (39 weeks paid maternity leave and paid shared parental leave – 2 weeks paid maternity leave and 24 weeks paid shared parental leave taken by Jane).

Tracey will take 13 weeks paid shared parental leave at full pay.

They decide not to take the 13 weeks unpaid shared parental leave available to them.

Annex A - Extra advice if your situation is not straightforward



If you are posted overseas

If you are posted overseas, this may affect whether you and your partner continue to be eligible for shared parental leave.

If you and your partner meet the eligibility requirements for shared parental leave, you must also:

- be employed and paid by a UK government department
- be under their terms and conditions
- pay UK tax and National Insurance, and
- be returning to your department once your overseas post has finished.

If your partner is employed on local terms and conditions, they would not qualify as an employee for the purpose of shared parental leave or shared parental pay.

If you change departments

If you change departments, you are still an employee of the Crown. The period you worked for your previous department will be counted towards your continuity of service, as long as there is no gap between posts.

This means if you have 26 weeks continuity of service and meet the other conditions for shared parental leave, you will be entitled to shared parental pay.

You may also be entitled to occupational shared parental pay. You will need to check your department's shared parental leave policy.

If you or your partner has more than one job

If you or your partner has more than one job and you meet the conditions for shared parental leave for each job, you or your partner will be entitled to take shared parental leave from each employer.

If the mother wants to opt into shared parental leave and has 2 (or more) jobs, she must end her maternity leave early for each of her jobs. She cannot opt into shared parental leave if she only ends her maternity leave early with one employer.

Annex A - Extra advice if your situation is not straightforward

She does not have to end her maternity leave on the same date with each employer. However, the number of weeks of shared parental leave is calculated by deducting the highest number of weeks of maternity leave which the mother takes.

Example – mother ends her maternity leave at the same time with both employers	Example – mother ends her maternity leave at different times with her employers
<p>Rachel has two jobs and ends her maternity leave with both employers after 10 weeks.</p> <p>Rachel can convert 42 weeks into shared parental leave (52 weeks - 10 weeks).</p>	<p>Jessie has two jobs and takes 10 weeks maternity leave from her first job and 12 weeks maternity leave from her second job.</p> <p>Jessie can convert 40 weeks into shared parental leave (52 weeks - 12 weeks).</p>

If either you or your partner works part-time

Shared parental leave is calculated in weeks. This will be the normal working week that applies to you. This means that if your working week is three days, your shared parental leave week will be the three days you normally work plus the two days you do not work.

For shared parental pay, if you are entitled to the full pay element of shared parental pay, you will be paid your normal monthly salary.

Annex B - Supporting tools

Shared parental leave planner

Use this to plan and record both your and your partner's maternity leave/maternity allowance and shared parental leave and how you will share the pay entitlement. It will allow you to assess the amount of shared parental pay you will receive as a couple and help to inform your manager and shared services (or equivalent) of your plans.

How to complete the planner

Once you have entered the start date of the maternity leave/maternity allowance, you should follow the three steps below to ensure you correctly complete the planner.

Step 1 – Planning your leave

Enter in column A, the total amount of maternity leave that the mother will be taking. Maternity leave can start before birth but must include two weeks after the birth of the child (four weeks for manual workers who give birth).

Then decide how to share the remaining weeks as shared parental leave between you and your partner. Shared parental leave can be taken up to the child's first birthday. Enter this information in columns A and B. The total number of weeks of maternity leave and shared parental leave added together must not exceed 52. However, paternity leave does not count towards this total and can be taken in addition.

If the mother is eligible for maternity allowance but not maternity leave, enter the maternity allowance which will be taken in column C and then enter the partner's shared parental leave in column B.

Annex B - Supporting tools

Shared parental leave planner

Step 2 – Planning your pay

In column C, enter the amount of either statutory or occupational maternity pay or maternity allowance.

Agree with your partner how you will share the remaining number of weeks of pay between you. The total number of weeks of maternity pay or maternity allowance and shared parental pay must not exceed 39 weeks.

A self-employed mother will not be eligible for shared parental pay but may make their partner eligible.

In columns C and D, record how you will allocate the occupational and statutory shared parental pay against the shared parental leave weeks that you have recorded in columns A and B.

Most civil servants are eligible for 26 weeks maternity leave/shared parental leave at full pay. To calculate your entitlement to shared parental leave at full pay, you must first deduct any weeks of maternity pay or allowance which the mother takes. You do not need to deduct paternity leave.

If you and your partner are both employed by the Civil Service, you will receive no more than 26 weeks full pay in total between the two of you. (See Annex A if one of you works for a department which gives 39 weeks on full pay).

In addition to 26 weeks at full pay, civil servants can take 13 weeks at statutory pay.

Non-civil service partners may be eligible to take maternity leave at full pay or statutory pay and also shared parental leave at full pay or statutory pay. All couples are entitled to a maximum of 39 weeks paid leave between them.

It makes no difference to a civil servant's eligibility for shared parental leave at full pay whether their partner is entitled to shared parental leave at full pay or statutory pay.

Shared Parental Leave Planner

Name:		Staff/payroll number:		
Enter: Start date of maternity leave/ maternity allowance	LEAVE		PAY	
	ML maternity leave PL paternity leave SPL shared parental leave	COMBINED TOTAL (excluding paternity leave) MUST NOT EXCEED 52 WEEKS		OMP occupational maternity pay SMP statutory maternity pay PP paternity pay OSPP occupational shared parental pay SSPP statutory shared parental pay UP unpaid MA maternity allowance COMBINED TOTAL (excluding paternity pay) MUST NOT EXCEED 39 WEEKS
Weeks before the birth	Column A	Column B	Column C	Column D
	Mother	Partner	Mother	Partner
11		X		X
10				
9				
8				
7				
6				
5				
4				
3				
2				
1				
Birth date				
1	Compulsory ML			
2	Compulsory ML			
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				

Week no.	LEAVE		PAY	
	ML maternity leave PL paternity leave SPL shared parental leave COMBINED TOTAL (excluding paternity leave) MUST NOT EXCEED 52 WEEKS		OMP occupational maternity pay SMP statutory maternity pay PP paternity pay OSPP occupational shared parental pay SSPP statutory shared parental pay UP unpaid MA maternity allowance COMBINED TOTAL (excluding paternity pay) MUST NOT EXCEED 39 WEEKS	
	Column A	Column B	Column C	Column D
	Mother	Father/partner	Mother	Father/partner
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				
25				
26				
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44				
45				

Week no.	LEAVE		PAY	
	ML maternity leave PL paternity leave SPL shared parental leave COMBINED TOTAL (excluding paternity leave) MUST NOT EXCEED 52 WEEKS		OMP occupational maternity pay SMP statutory maternity pay PP paternity pay OSPP occupational shared parental pay SSPP statutory shared parental pay UP unpaid MA maternity allowance COMBINED TOTAL (excluding paternity pay) MUST NOT EXCEED 39 WEEKS	
	Column A	Column B	Column C	Column D
	Mother	Father/partner	Mother	Father/partner
46				
47				
48				
49				
50				
51				
52				
Total no. of weeks	A + B minus any paternity leave = no more than 52		C + D minus any paternity pay = no more than 39	
			Check also that total weeks on maternity pay plus total weeks on shared parental leave at full Civil Service pay does not exceed 26 weeks (or 39 weeks if you work for a department which offers 39 weeks on full pay)	

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