



Shared Parental Leave (SPL) – Quick Guide

Purpose

This guide provides headteachers and school business managers with a clear, practical process for managing shared parental leave (SPL).

Step 1: Initial Conversation

When an employee raises SPL:

- Arrange an informal discussion
- Explore intended leave pattern (continuous or blocks)
- Explain statutory entitlement and school considerations

Step 2: Check Eligibility

Confirm the employee meets the statutory eligibility requirements, including:

- At least 26 weeks' continuous service with the employer by the end of the qualifying week
- Average earnings above the Lower Earnings Limit
- Shared responsibility for the care of the child
- The other parent meeting the employment and earnings test

Seek HR advice if eligibility is unclear.

Step 3: Curtailment of Maternity/Adoption Leave

SPL cannot begin until maternity/adoption leave is shortened:

- Employee must provide minimum 8 weeks' notice
- Confirm curtailment date before proceeding

Step 4: Formal Notices

Employee must provide:

1. Notice of entitlement (8 weeks before leave)
2. Period of leave notice (dates requested)

Managers may request a copy of the child's birth certificate and the name and address of the other parent's employer within 14 days of receiving the notice of entitlement.

Step 5: Agree Leave Pattern

Continuous leave:

- Must be approved (cannot be refused)

Discontinuous leave:

- Can be discussed and refused if not workable, however alternative dates should be put forward

Reasons to decline a discontinuous request may include:

- Have a detrimental effect on the service's ability to meet customer demands;



- Have a detrimental effect on the organisation's ability to complete a specific project or piece of work;
- Create unacceptable difficulties for the service as it would be unable to reorganise work among other colleagues;
- Create unacceptable difficulties for the service in finding suitable cover during the absence;
- Be inappropriate due to planned structural changes.

Managers should consider:

- Impact on pupils' continuity of learning
- Availability and cost of suitable cover
- Impact on operational requirements
- Timing within the academic year
- Ability to maintain safe and effective staffing levels

Step 6: Confirm in Writing

Provide written confirmation including:

- Agreed leave dates
- Pay arrangements
- Contact arrangements during leave

Step 7: During Leave

- Up to 20 SPLIT days can be agreed
- Maintain reasonable contact
- Use SPLIT days for training or handover if needed

Step 8: Pay

- Up to 37 weeks of Statutory Shared Parental Pay (ShPP) may be available.
- The amount available depends on how much statutory maternity/adoption pay has already been used.
- Any weeks of maternity pay already received will reduce the number of weeks of ShPP available.
- ShPP is paid at statutory rate or 90% earnings (whichever is lower)
- Ensure payroll is notified in advance

Step 9: Return to Work

- Employee must give 8 weeks' notice to return early
- Up to 26 weeks leave: employees entitled to return to same role
- Over 26 weeks: employees have the right to return to the same role unless there is a genuine reason why this is not possible. Where it is not reasonably practicable for them to return to the same job, they are entitled to return to another job which is both suitable and appropriate.

Communication During Leave

Managers should:



- Agree preferred contact arrangements before leave starts
- Inform employees of significant workplace changes
- Discuss training opportunities and SPLIT days where appropriate
- Keep records of any agreed contact

Key Risks

- Missing notice deadlines
- Refusing continuous leave
- Poor documentation of decisions
- Not seeking HR advice where needed