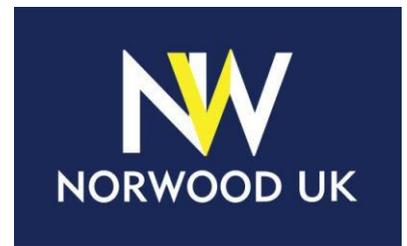




NW
NORWOOD UK

**Shared Parental Leave
Policy**



Shared Parental Leave Policy

Introduction

Shared Parental Leave is designed to give parents more flexibility in how to share the care of their child in the first year following birth or adoption. Parents will be able to share a pot of leave, and can decide to be off work at the same time and/or take it in turns to have periods of leave to look after their child.

Scope

The Shared Parental Leave policy will apply to Norwood UK employees who meet the eligibility criteria, where a baby is due to be born on or after 5 April 2015, or where a child is placed for adoption on or after that date, or in the case of overseas adoption where the child enters the UK on or after that date.

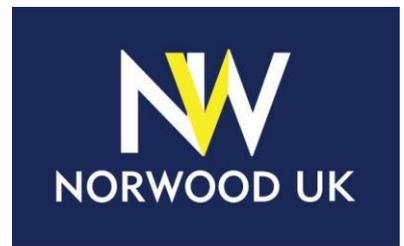
This policy applies to Norwood UK employees. It does not apply to agency workers or self-employed contractors.

This policy does not form part of any employee's contract of employment and Norwood UK may amend it at any time.

Key points

Employees will continue to be entitled to 52 weeks of Maternity Leave and 39 weeks of maternity pay in accordance with the Maternity Leave Policy and the Statutory Maternity Pay scheme.

If she chooses to do so, a mother can end her maternity leave early and can opt to take the remaining leave and pay entitlement with the child's father or her partner (who may be male or female) as Shared Parental Leave instead of



Maternity Leave. In order to do so both parties must meet the qualifying requirements.

Shared Parental Leave entitlement is additional to Paternity Leave entitlement. Paid Paternity Leave of two weeks will continue to be available in accordance with the Paternity Leave Policy. Shared Parental Leave replaces Additional Paternity Leave. However, employees are advised to take Paternity Leave before starting SPL, as once you start SPL you will lose any untaken paternity leave entitlement.

Employees who qualify for Adoption Leave will have the same rights as other parents to Shared Parental Leave. They may be male and female, or same sex couples. They may also be the intended parents in a surrogacy arrangement or parents in a foster to adopt arrangement (see Adoption Leave Policy for details).

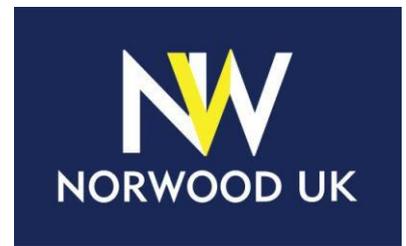
Frequently used terms

The definitions in this paragraph apply in this policy.

Expected week of childbirth (EWC): the week, beginning on a Sunday, in which the doctor or midwife expects your child to be born.

Parent: One of two people who will share the main responsibility for the child's upbringing (and who may be either the mother, the father, or the mother's partner if not the father).

Partner: your spouse, civil partner or someone living with you in an enduring family relationship, but not your sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew.



Qualifying Week: the fifteenth week before the EWC, or the week of notification of matching (in the case of adoption).

Shared Parental Leave (SPL) Entitlement

The total amount of SPL available is 52 weeks:

- I. less the weeks spent by the child's mother on maternity leave (or the weeks in which the mother has been in receipt of statutory maternity pay (SMP) or maternity allowance (MA) if she is not entitled to maternity leave), or
- II. less the weeks spent on adoption leave (or the weeks in which the adopter has been in receipt of statutory adoption pay (SAP)).

If you are the mother you cannot start SPL until after the two weeks of compulsory maternity leave following the birth of the child.

An adopter or the parental order parent in surrogacy must take at least two weeks adoption leave before it can be curtailed.

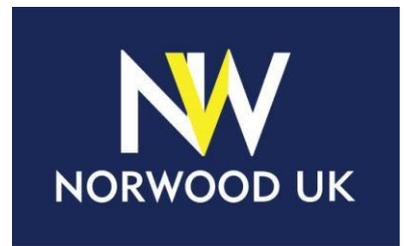
The remaining unused maternity /adoption leave and pay entitlement can be taken as SPL by either parent (i.e.) up to a maximum of 50 weeks.

Parents can take their SPL at the same time as each other or at different times. All SPL must be taken before the child's first birthday or one year after the placement date in the case of adoption.

Eligibility for Shared Parental Leave (SPL)

You will qualify for Shared Parental Leave if A, B, C, D and E below are satisfied:

- A. The child's mother/main adopter must be entitled to maternity/adoption leave (or to statutory maternity/adoption pay or maternity allowance if she is not an employee), and have curtailed their maternity/adoption leave/pay before s/he has taken their full entitlement.
- B. Responsibility for care of the child:
- you are the child's mother, and share the main responsibility for the care of the child with the child's father (or your partner, if the father is not your partner); or
 - you are the child's father and share the main responsibility for the care of the child with the child's mother; or
 - you are the mother's partner and share the main responsibility for the care of the child with the mother (where the child's father does not share the main responsibility with the mother); or
 - you are the adopter and share the main responsibility for the care of the child with your partner.
- C. Continuity of employment test:
- you must have worked for Norwood UK for at least 26 weeks at the Qualifying Week and be still employed in the week before any Shared Parental Leave is to be taken.
 - for a parental order parent in a surrogacy arrangement, the continuity of employment test is the same as that which applies to birth parents.
- D. Employment and earnings test:
- 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 EWC/date of placement. In 13 of those weeks they must have earned average weekly earnings of at least £30 a week and have paid either class 1 or class 2 national insurance contributions in those weeks (or hold an exemption certificate for those weeks).



E. Statutory Notices and Declarations:

- you and the other parent must give the necessary statutory notices and declarations (contained in the forms accompanying this policy), including notice to end any maternity/adoption leave, SMP/SAP or MA periods.

Shared Parental Pay (ShPP) Entitlement

Shared Parental Pay (ShPP) is only available if the mother/main adopter was entitled to statutory maternity pay (SMP) or statutory adoption pay (SAP) or maternity allowance (MA). If a mother/main adopter does not qualify for SMP, SAP or MA, then the parents may qualify for shared parental leave, but they cannot qualify for ShPP.

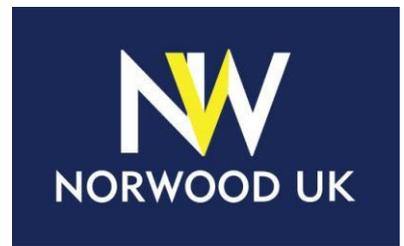
Eligibility for Statutory Shared Parental Pay (“ShPP”)

Statutory Shared Parental Pay (ShPP) is a State benefit for parents on SPL, the conditions for which and the amount of which are determined by the Government but it is paid by the employer at a standard rate set by the Government each year.

To qualify:

- I. the mother/main adopter must qualify for SMP, SAP or MA (see 7), AND
- II. you must qualify for SPL as in section 6 above, AND
- III. you must have average earnings at or above the lower earnings limit for National Insurance contributions in the 8 weeks before the Qualifying Week.

The maximum amount available to share will be 39 weeks less any weeks in which SMP, SAP or MA has been paid.



As both parents share the remaining entitlement, any ShPP that your partner receives will be counted towards your entitlement to ShPP.

How to take Shared Parental Leave

There are three stages that you must complete before you can take SPL. In practice each stage requires you to complete and submit the appropriate notices/forms, which are referred to within each stage below. The stages are the same for Adoption leave but require separate versions of the forms to be completed.

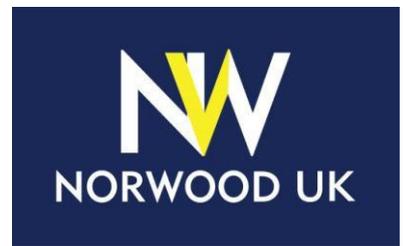
You must notify your Line Manager and HR Services as soon as possible if you discover that any of the information that you have provided is incorrect, and/or if there is a change to any of the information that you have provided. For the avoidance of doubt it is a potential gross misconduct offence if you knowingly provide incorrect information.

STAGE 1 – If you are the mother - Curtailing your maternity leave

If you are the child's mother, you must complete form SPL1 (a curtailment notice) to give your Line Manager and HR Services at least 8 weeks' written notice to end your maternity leave, before you can take SPL. The notice must state the date your maternity leave will end.

You can give the notice before or after you give birth, but you cannot end your maternity leave until at least two weeks after birth.

You must also provide, at the same time as the curtailment notice, a notice to opt into the SPL scheme (see Stage 2 below).



Your partner may be eligible to take SPL from their employer before your maternity leave ends, provided you have given your curtailment notice.

The curtailment notice is binding and cannot usually be revoked. You can only revoke a curtailment notice if maternity leave has not yet ended and if one of the following applies:

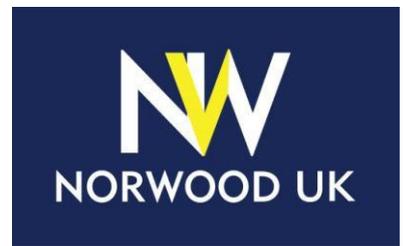
- I. you realise that neither you nor your partner are in fact eligible for SPL or ShPP, in which case you can revoke the curtailment notice in writing up to 8 weeks after it was given; or
- II. you gave the curtailment notice before giving birth, you can revoke it in writing up to 8 weeks after it was given, or up to 6 weeks after birth, whichever is later; or
- III. your partner has died.

If you are the mother's partner

If you are not the mother, and she is still on maternity leave or claiming SMP or MA, you will only be able to take SPL once she has either:

- I. returned to work; or
- II. given her employer a curtailment notice to end her maternity leave; or
- III. given her employer a curtailment notice to end her SMP (if she is entitled to SMP but not maternity leave); or
- IV. given the benefits office a curtailment notice to end her MA (if she is not entitled to maternity leave or SMP).

Once the mother has given notice to end her maternity leave and pay as set out above, the father/partner does not have to wait for her to return to work before SPL can begin.



STAGE 2 – Opting In to Shared Parental leave by issuing Notice of Entitlement and Intention to take Shared Parental Leave

At least 8 weeks before the date you intend your SPL to start, you must give your Line Manager and HR Services a written opt-in notice:

- I. if you are the mother you must complete form SPL2.
- II. if you are the mother's partner you must complete form SPL3.

The information and declarations you are required to provide are contained in these forms.

STAGE 3 - Booking Shared Parental Leave

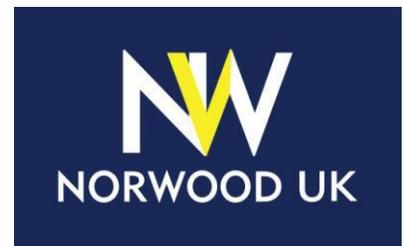
Having opted into the SPL system you will need to confirm the periods of SPL you wish to take by booking your leave.

You must complete a Booking Notice (form SPL4) and submit it either at the same time as your opt-in notice (see Stage 2 above) or later, as long as it is given at least 8 weeks before you wish to start of your leave. Completed forms must be given to your Line Manager and HR Services.

You may submit up to a maximum of three Booking Notices (see 12).

SPL can start on any day of the week but can only be taken in complete weeks.

If you request a single continuous block of SPL (e.g. a block of 3 months leave) you will be entitled to take the leave as requested.



Procedure for requesting split/discontinuous periods of SPL

If you request a pattern of discontinuous leave where the SPL is interspersed with periods of work (e.g. to take 4 weeks in June, 4 weeks in September, 4 weeks in November), this must be discussed and agreed with your Line Manager.

It may not be possible to agree to such a pattern. The Flexible Working Policy provides examples of the grounds upon which a request may be refused.

You must submit your SPL Booking Notice setting out the requested pattern of leave at least 8 weeks before the requested start date, however you may wish to discuss this with your Line Manager before putting in a Booking Notice to allow as much time as possible to consider the request.

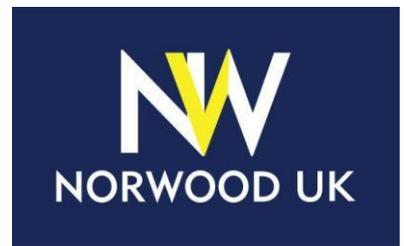
The following procedure will apply:

On receipt of a Booking Notice there will be 2 week discussion period to enable you and your Line Manager to discuss and consider the request. The Line Manager can:

- I. agree to the request, or
- II. refuse the request, or
- III. attempt to agree an alternative pattern of leave.

If the request is refused or no agreement can be reached during this 2 week period:

- I. You may withdraw the SPL Booking Notice at any time up to and including the 15th calendar day after submitting it. In these circumstances the withdrawn form will not count towards the cap of



- three SPL Booking Notices; or
- II. If you have not withdrawn the notice, you will be required to take the total amount of leave requested in one continuous block. You have 5 calendar days at the end of the 2 week discussion period in which to specify the date on which the leave will start. The leave cannot start within 8 weeks of the date that the SPL Booking Notice was submitted,
 - III. If you do not specify a date within 5 days, the leave will start on the first day of the first week of leave stated in the original SPL Booking Notice.

Changing the dates or cancelling your SPL

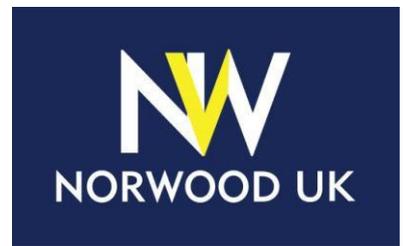
You can cancel a period of leave by notifying us in writing at least 8 weeks before the start date in the SPL Booking Notice.

You can change the start date for a period of leave, or the length of the leave, by notifying us in writing at least 8 weeks before the original start date and the new start date.

You can change the end date for a period of leave by notifying us in writing at least 8 weeks before the original end date and the new end date.

You can combine split periods of leave into a single continuous period of leave by notifying us in writing at least 8 weeks before the start date of the first period.

You can request that a continuous period of leave be split into two or more discontinuous periods with periods of work in between. We will consider any such request as set out in the above section.



Maximum of Three SPL Booking Notices

You are entitled to submit a maximum of three SPL Booking Notices. A notice to change or cancel a period of leave will count as one of your three Booking Notices, unless:

- I. the variation is a result of your child being born earlier than the EWC. In this case you do not need to give 8 weeks' notice if you are changing the dates of your SPL because your child has been born earlier than the EWC, where you wanted to start your SPL within the first 8 weeks after birth. In such cases please notify us in writing of the change as soon as you can; or
- II. the variation is at our request.

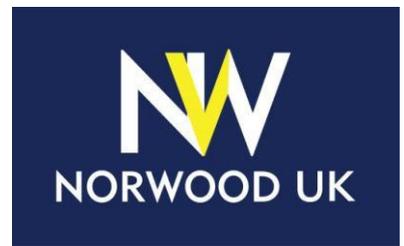
Maintaining contact during SPL

Employees can work up to 20 days during SPL without bringing it to an end or extending the period of SPL. These are called 'shared parental leave in touch' (SPLIT) days.

These days are in addition to the 10 'keeping in touch' (KIT) days already available to those on maternity or adoption leave.

SPLIT days are optional – they must be agreed in advance by both the employee and the line manager.

Working for any part of a day will count as one of the 20 SPLIT days. The University will pay you at your normal hourly basic rate of pay (inclusive of Statutory and/or Occupational Shared Parental Pay) for the number of hours which you work on a SPLIT day. A log of days worked must be kept using (form SPL5) and submitted for payment on return to work at the end of the full SPL period.



In addition, during SPL Norwood UK may also make reasonable contact with you, for example, to discuss return to work arrangements or to communicate important information, such as news of changes at the workplace that might affect you on your return, or promotion opportunities relevant to your job.

Returning to Work

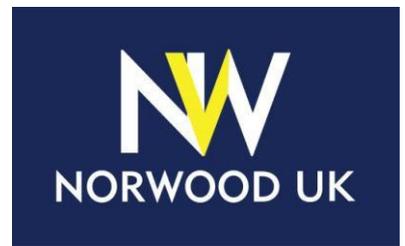
The return to work interview checklist (form ML/ADL3) provides a useful tool for Line Managers to assist employees in making a successful transition back into work. This may be discussed on your return from SPL or during SPLIT days in the lead up to your return to work.

You will normally return to the same job that you had before you went on SPL leave. However, if this is not reasonably practicable, you may be re-deployed to another suitable and appropriate job on terms and conditions that are not less favourable, but only where:

- I. the amount of SPL and any maternity/adoption or paternity leave taken adds up to more than 26 weeks in total (whether or not taken consecutively); or
- II. you have taken SPL consecutively with more than 4 weeks of unpaid parental leave.

If you wish to change your hours or other working arrangements on return from SPL, you should submit a request under the Flexible Working Policy and discuss this with your Line Manager as early as possible.

If you want to amend your return to work date (either to end your SPL early or extend it) you must provide 8 weeks' notice in writing to your Line Manager and HR Services. However, a notice to vary agreed leave counts towards the cap of 3 SPL Booking Notices. If you have already used up your three SPL

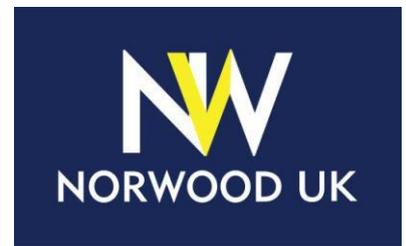


Booking Notices, it will not be possible to amend your return date without Norwood UK's agreement.

If you do not want to return to work, you must give notice of resignation in accordance with your contract of employment. This will have an impact upon your entitlement to Occupational Shared Parental Pay, which the University will be able to recover from you (to the extent that it exceeds Statutory Shared Parental Pay).

If you fail to return to work after SPL without having submitted a notice of resignation, you will be treated as being on unauthorised absence, and the University will be entitled to take appropriate disciplinary action, which may include dismissal. This will also have an impact upon your entitlement to Occupational Shared Parental Pay, which the University will be able to recover from you (to the extent that it exceeds Statutory Shared Parental Pay).

If you leave your employment within 12 weeks of your return to work after SPL this will have an impact upon your entitlement to Occupational Shared Parental Pay, which the University will be able to recover from you (to the extent that it exceeds Statutory Shared Parental Pay). This provision shall not apply to you if you are employed on a fixed term contract that expires either before you return to work from SPL or within a period of 12 weeks from your return to work from SPL provided that you have not (i) been notified that your contract is to be renewed/extended or (ii) refused an offer of suitable alternative employment.



Other conditions during SPL

Continuity of employment

Periods of SPL are counted as periods of continuous employment. Employees are entitled to the benefit of (and bound by) their normal terms and conditions of employment, except for terms relating to pay during periods of SPL. This includes benefits in kind.

Annual Leave during SPL

During the period of SPL you will continue to accrue annual leave, including bank holidays and closure days, in the normal way.

Annual leave should be taken during the current leave year wherever possible. You are expected to plan annual leave to stay within the existing conditions applied to carrying leave forward i.e. up to a maximum of 5 days. You will normally only be allowed to carry over more accrued annual leave into the next leave year if it has not been possible to take it.

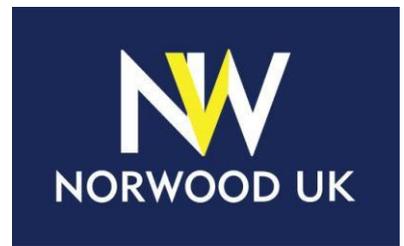
If you are transferring to part-time work on your return, you must take any outstanding fulltime annual leave allowance prior to returning to work.

Parental Leave

Employees may also apply for unpaid parental leave during this period, (i.e. employees may apply for up to 4 weeks unpaid leave within a year).

Sick leave during SPL

An employee who is ill and unable to care for their child who follows the University's normal sickness absence reporting procedures, will be considered



to be on sick leave rather than SPL.

Pension scheme membership during SPL

During any period of SPL on full pay, pension contributions will continue as usual.

During any period when the employee is receiving Statutory SHPP only:

Fixed term contracts

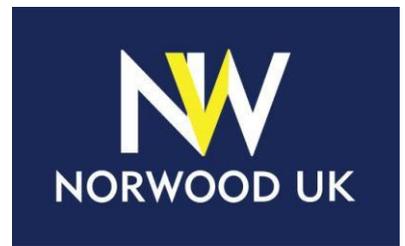
Employees on fixed-term contracts are covered by this policy and associated provisions until the contract expires.

your employment comes to an end while you are still entitled to some ShPP then any remaining weeks will usually remain payable unless you start working for someone else.

Employees on fixed term contracts whose date of contract expiry means that they cannot meet the requirement to return for 12 weeks will not be required to repay any occupational shared parental pay received provided that they have not:

- I. been notified that their contract is to be renewed/extended, or
- II. refused an offer of suitable alternative employment.

Where the fixed term contract is due to end by reason of redundancy during shared parental leave an employee on the Redeployment Register will be offered a suitable alternative post where such a post becomes available.



Effect on Probation periods

There may be occasions when the probationary period is interrupted. In such circumstances it should be made clear (and confirmed in writing) to the individual whether probation is continuing or is being suspended. If it is the latter an indication of the period it is suspended should be given.

Overpayments

If Norwood UK makes an overpayment of Statutory or Occupational Shared Parental Pay, the amount of any such overpayment will be deducted from your salary (which may include holiday pay, sick pay, bonus, honoraria, one-off payments, market supplements and pay in lieu of notice).

Review

This policy will be reviewed initially after 12 months.

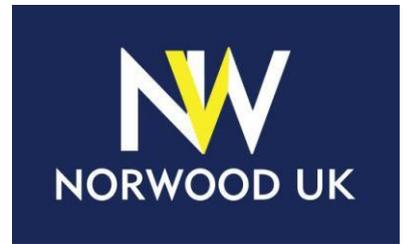
Further information

Gov.UK ready reckoner to help calculate your entitlements:

<https://www.gov.uk/pay-leave-for-parents>

ACAS good practice guide for employers and employees:

<http://www.acas.org.uk/media/pdf/r/q/Shared-Parent>



Appendix 1 - Examples of Shared Parental Leave and Pay arrangements.

The following examples illustrate how Shared Parental Leave and pay will apply (subject to eligibility in all cases), and in particular how Occupational Shared Parental Pay will apply to Norwood UK employees.

Terms used:

Occupational Maternity pay – OMP

Statutory Maternity pay – SMP

Occupational Shared Parental pay – OshPP

Statutory Shared Parental pay - SShPP

Shared Parental Leave - SPL

Determining entitlement

The Maternity Leave and pay provisions for University employees are as follows:

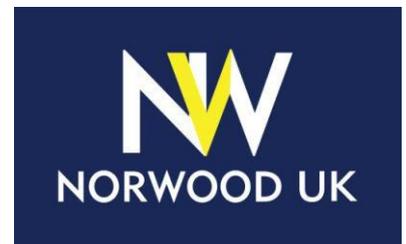
- 26 weeks at OMP (full pay) inclusive of SMP
- 13 weeks at SMP
- 13 weeks unpaid.

When Maternity leave is curtailed early and the parents opt into SPL, any untaken maternity leave and pay entitlement is converted to SPL and pay. This provides a pot of leave and pay which can be shared by both parents.

Example 1

Maternity leave ends after 16 weeks. The amount of SPL and pay available will be:

- 10 weeks at OShPP inclusive of ShPP



- 13 weeks at ShPP
- 13 weeks unpaid

a) If both parents are Norwood UK employees:

Either parent can take 10 weeks at OShPP provided that this leave is taken within the first 26 weeks from the start of the Maternity Leave and that there are 10 weeks of ShPP available to use:

Mother works here	Weeks 1-16 (16 weeks) Maternity leave OMP	At work	At work	Weeks 30-39 (10 weeks) ShPP	Weeks 40-52 (13 weeks) Unpaid
Partner works here		Weeks 17-26 (10 weeks) OShPP Incl. Of ShPP	Weeks 27-29 (3 weeks) ShPP	At work	At work

If they both wish to be off at the same time the OShPP will be split equally at 5 weeks each:

Mother works here	Weeks 1-16 (16 weeks) Maternity leave OMP	Weeks 17-21 (5 Weeks) OShPP Incl. Of ShPP	Weeks 22-28 (7 weeks) ShPP	Weeks 29-34 (6 Weeks) Unpaid	At work
Partner works here		Weeks 17-21 (5 weeks) OShPP Incl. Of ShPP	Weeks 22-27 (6 Weeks) ShPP	Weeks 28-34 (7 Weeks) Unpaid	At work

b) If only one parent works at the University:

He or she can take 10 weeks at OShPP provided that this leave is taken within the first 26 weeks from the start of the Maternity Leave and that there are 10 weeks of ShPP available to use:

Mother works here	Weeks 1-16 (16 weeks) Maternity leave OMP	Weeks 17-26 (10 Weeks) OShPP Incl. Of ShPP	Weeks 27-29 (3 Weeks) ShPP	Weeks 30-42 (13 Weeks) Unpaid	At work
Partner works here		Weeks 17-26 (10 weeks) ShPP	At work	At Work	At Work

Partner works here		Weeks 17-26 (10 Weeks) OShPP Incl. Of ShPP	Weeks 27-29 (3 Weeks) ShPP	Weeks 30-42 (13 Weeks) Unpaid	At Work
Mother works elsewhere	Weeks 1-16 (16 Weeks) Maternity Leave	Weeks 17-26 (10 Weeks) ShPP	At Work	At Work	At Work



OMP Cannot be taken after the first 26 weeks:

Mother works here	Weeks 1-16 (16 Weeks) Maternity Leave OMP	At Work	Weeks 33-39 (7 Weeks) ShPP	Weeks 40-52 (13 Weeks) Unpaid	At Work
Partner works elsewhere		Weeks 17-32 (16 Weeks) ShPP	At Work	At Work	At Work

Signed for and on behalf of the company

A handwritten signature in black ink, appearing to read 'Jo Shuttlewood'.

Jo Shuttlewood – HR Director

* Partner means a person who the mother/adopter is married to, or in a civil partnership with, or living with in an enduring family relationship, who will share with her the main caring responsibility for the child.