



Jesus College OXFORD

MATERNITY, PATERNITY, PARENTAL, ADOPTION AND OTHER FAMILY LEAVE

POLICY STATEMENT

1. Jesus College is keen to support and retain high performing employees, ensuring that they can balance the needs of their personal life alongside work.

PURPOSE AND SCOPE

2. This policy and procedure:
 - sets out the steps to be followed for taking maternity, paternity, adoption leave and other family related leave;
 - sets out expectations, benefits and entitlements to ensure that employees and managers have a clear understanding of, and comply with the relevant procedures and Jesus College's expectations.
3. This policy applies to all Jesus College staff.

PRINCIPLES

4. The principles when considering leave requests under this policy are as follows:
 - requests will be considered in line with timing requirements set out under current statutory guidelines; and
 - decisions will be applied fairly and consistently across the College.

OUTCOMES

5. The outcomes of this policy are that:
 - high performing employees are retained by Jesus College;
 - Jesus College values the diversity of its employees;
 - employees are assisted in achieving a home-work balance; and
 - Jesus College acts in compliance with relevant statutory requirements.

MONITORING AND REVIEW

6. Human Resources will monitor the implementation of this policy.
7. A formal review of this policy will take place regularly unless there is a significant change in relevant legislation which triggers an early review.



Maternity Leave and Pay

Glossary of Terms

Ordinary Maternity Leave and Additional Maternity Leave

- **Ordinary Maternity Leave (OML)** - This is the first period of 26 weeks maternity leave after the birth of the child.
- **Additional Maternity Leave - (AML)** - This is the second (last) period of 26 weeks leave following OML.

MATBI

A GP or midwife issues this after the 21st week of pregnancy

Compulsory Maternity Leave

A 2 week period known as Compulsory Maternity Leave which the employee is required to take immediately after the birth of a child, it is included in the OML period.

Expected Week of Childbirth (EWC)

This date is included on the MATBI certificate. Any length of service requirement must be met by the qualifying week, the 15th week before EWC.

Qualifying Week

The 'qualifying week' - the 15th week before the expected week of childbirth.

Statutory Maternity Pay (SMP)

An amount paid at flat rate set by the Government. To qualify for SMP the woman must: have been employed (with a valid employment contract) at the College for 26 weeks, continuing into the qualifying week; have average earnings above the National Insurance lower earnings limit; have provided the College the correct notice and proof of pregnancy.

Maternity Procedures

1. Leave and Pay Entitlements

- 1.1 All pregnant employees are entitled to 52 weeks statutory maternity leave, no matter how long they have worked for the College.
- 1.2 It is up to the employee how much maternity leave they take but the law requires that this is at least two weeks, this must be taken immediately following the birth of the child (compulsory maternity leave).
- 1.3 There are differences between maternity leave (to which all pregnant employees are entitled) and maternity pay (for which there is a qualifying period).

2. Qualifying for Maternity Pay

- 2.1 In order to receive the College's contractual maternity pay, at the qualifying week the employee must be/have been:
 - employed by the College, with a contract of employment; and
 - have at least 26 weeks continuous service with the College, as an employee; and
 - provide the correct notification of intention to take leave (see 2.2); and
 - confirm their intention of returning to work, for at least three months, following the birth of the baby.



- 2.2 An employee must notify their line manager, in writing, no later than the 15th week before the Expected Week of Confinement/childbirth (EWC) or as soon as is reasonably practicable of:
- their pregnancy
 - the expected week of childbirth
 - the date they intend to start maternity leave; and
 - provide the MATBI certificate from a registered medical practitioner or midwife

- 2.3 If an employee wishes to change the date in which they intend to take maternity leave, they must notify their line manager at least 28 days before the new date.

3. Maternity Pay

- 3.1 Employees who meet the criteria in paragraph 2.1 are entitled to **College maternity pay** of:

- up to 26 weeks' leave on full pay (inclusive of SMP);
- up to 13 weeks' leave at SMP; followed by
- up to 13 weeks unpaid leave

Total maternity leave = up to 52 weeks

- 3.2 If an employee does **not** qualify for College maternity pay they may be entitled to **statutory maternity leave and statutory maternity pay (SMP)** provided they meet the following criteria:

- they have a valid employment contract;
- they provide proof of pregnancy;
- they have worked for Jesus College continuously for at least 26 weeks up to the 'qualifying week' (15th week before the EWC); and
- they earn a statutory defined minimum amount each week (gross); and
- their average weekly earnings are not less than the lower earnings limit relevant for National Insurance purposes.

- 3.3 Women who are not entitled to SMP may be entitled to claim up to 39 weeks Maternity Allowance from the JobCentre Plus office, this will be dependent on statutory qualifying conditions based on recent earnings.

- 3.4 A woman who does not qualify for SMP or contractual pay but who wishes to take maternity leave must still provide a MAT BI.

4. Return to Work

- 4.1 Employees who decide not to return to work or who resign within three months of their return to employment, will be required to repay to the College any maternity pay paid to them which is in excess of the statutory provision.

- 4.2 Employees who return to work at the end of their ordinary maternity leave are entitled to return to the same job, with the same terms and conditions, in which they were employed before.

- 4.3 Employees who return to work after a period of additional maternity leave are entitled to return to the same job in which they were employed before or, if that is not reasonably practicable, to another job which is both suitable and appropriate on terms no less favourable.

5. Maternity Leave

- 5.1 Maternity leave may start from the 11th week before the EWC. Maternity leave automatically starts if:



- the birth of the baby occurs before the intended start of maternity leave. In such circumstances maternity leave will then start on the day following the birth of the child;
- the employee is absent due to pregnancy-related illness at any time in the four weeks before the EVC. In such circumstances maternity leave will commence on the day following the first day of absence.

5.2 In the sad circumstances where a pregnancy ends in stillbirth during the first 24 weeks of pregnancy (defined as miscarriage) maternity Pay is not payable. In these circumstances any absence would be managed in line with the sickness absence policy. However, if this occurs after 24 weeks, the employee remains entitled to full maternity leave and pay. The College's employee assistance programme can provide support to staff during this difficult time.

6. Annual Leave/Pension

6.1 Employees should endeavour to use all of their accrued annual leave before maternity leave begins, if this is not possible this must be agreed with their manager before maternity leave begins.

6.2 Annual leave entitlement will continue to accrue at the normal rate during paid maternity leave (College or SMP). Before coming back to work accrued annual leave should be taken.

6.3 Pension rights will accrue in the usual way during paid maternity leave (College or SMP).

7. Sickness absence during or following pregnancy

7.1 If an employee is absent from work before the start of maternity leave, due to illness unrelated to pregnancy, the usual College sickness absence procedures will apply.

7.2 Periods of pregnancy-related sick absence that occur before maternity leave commences will be paid according to the employee's remaining sick pay entitlement but will be disregarded for the purpose of sickness absence monitoring and management action.

8. Health and Safety at Work

8.1 The College is required to protect the health and safety of all employees, including new and expectant mothers. The management of Health and Safety at Work Regulations 1999 require employers to assess risks to their employees, including new and expectant mothers, and to do what is reasonably practical to control these risks.

8.2 The College is required to carry out risk assessments paying particular attention to risks that could affect the health and safety of the new or expectant mother or her child. Once the College has been informed by the employee of their pregnancy, a risk assessment should be carried out by their line manager.

8.3 In some cases where the line manager feels further advice is required, the Colleges' Health and Safety Officer may be contacted.

9. Time off for antenatal appointments

9.1 All pregnant employees are entitled to paid time off to attend antenatal appointments made on the advice of a registered medical practitioner, registered midwife or registered health visitor. The entitlement applies regardless of the employee's hours of work or length of service. Time off for antenatal appointments is paid at the employee's normal rate of pay. Where it is possible to do so these appointments should be made at the beginning or end of the working day.

9.2 Antenatal care includes not only medical examinations but also maternity related relaxation



classes and parent craft classes.

- 9.3 Employees are expected to provide notification of antenatal appointments to their line manager once the appointment is confirmed.
- 9.4 With the exception of the very first antenatal appointment, the College is entitled to ask the employee for evidence of the appointments and on request, the employee must show an appointment card or other documents showing the appointment.
- 9.5 Fathers and partners of pregnant women are entitled to take unpaid time off to accompany their partners to up to two antenatal appointments. Any additional time off that might be required should be requested as annual leave in the normal way. This provision also applies to parents whose child will be born through a surrogacy arrangement and where they meet the requirements for, and intend to apply for, a parental order for this child.

10. Contact during Maternity Leave (Keeping in Touch (KIT) days

- 10.1 It is important that the employee and line manager maintain contact during the maternity leave period. The employee must keep their manager informed of any relevant and important information, such as the proposed return to work dates.
- 10.2 By mutual agreement, the employee may work for up to 10 days' during the maternity leave period (but not during the compulsory maternity leave period) without losing statutory payments for that week, or ending their entitlement to leave.

For this purpose any work carried out on any day is deemed to constitute 'a day's work'. Any days' work done under this provision will not have the effect of extending the total duration of the maternity leave period.

Payment in respect of these 'keeping in touch' days will be agreed beforehand.

11. Notification of change of return to work dates

- 11.1 Unless otherwise notified, the date on which the employee returns to work will normally be the first working day 52 weeks after her maternity leave began.
- 11.2 If the employee wishes to return to work before the end of her full maternity leave period, she must provide the college at least eight weeks' notice of her return to work. This notice requirement applies throughout the whole period of leave. This period is the minimum the College is entitled to expect, but the line manager may, at their discretion, accept less notice.
- 11.3 An employee who has notified the college that she wishes to return to work before the end of the 52 weeks' is entitled to change her mind. However, she should give the College at least eight weeks' notice before the earlier date.
- 11.4 An employee who does not wish to return to work after their maternity leave must give her manager the notice of termination required by her contract of employment. Employees who decide not to return to work or who resign within three months of their return to employment, will be required to repay to the College any maternity pay paid to them, which is in excess of the statutory provision.

12. Changing hours of work

- 12.1 At the end of maternity leave, employees who wish to request a temporary change to their working hours/pattern, must submit a request to their line manager at least eight weeks before their expected return to work date.



- 12.2 The College will also consider the opportunity for employees to return to their normal working hours on a phased basis. Accrued annual leave may be used to facilitate such request. This phased return will be an agreed regular timetable of hours and does not allow for an employee to amend their hours from week to week.
- 12.3 If an employee wishes to amend their working hours/pattern permanently, they would need to apply under the Colleges' flexible working request policy. The College will consider the requests, subject to operational requirements.



Procedures – Paternity Leave

1. Terminology

- 1.1 The procedures set out below apply to any employee who meets the eligibility criteria set out in this document, these are regardless of gender or marital status. For simplicity in part this guidance refers to 'father' and 'paternity'.

2. Ordinary Paternity Leave (OPL)

- 2.1 OPL is for a maximum of **two weeks** to be taken in the **first 56 days** following the birth, or adoption placement, of a child. For the purposes of calculation of a week is the same amount of days/hours that the employee normally works in a week.

- 2.2 The employee can begin the leave:

- On the date the child is born or placed with the adopter;
- from a specified chosen number of days/weeks after the child's birth/placement;
- from a specified predetermined date which is later than the first day of the EWC or placement.

- 2.3 Those who are eligible can choose to take either one week or two consecutive weeks' paid paternity leave (not odd days).

- 2.4 To be eligible for the College's OPL the employee must:

- have been employed continuously by the College for at least 26 weeks by the 15th week before the baby is due or the end of the week in which the child's adopter is notified of being matched with the child; and
- have a contract of employment with the College which covers the entire period of the leave; and
- be the father of the child, or be married to, or the civil partner or "partner" of, the child's mother or adopter.
- have, or expect to have, responsibility for the child's upbringing.

- 2.5 Those who are eligible can choose to take either one week or two consecutive weeks' paid paternity leave (not odd days).

3. Notice period

- 3.1 The employee must advise the College on or before 15th week of EWC or, in the case of an adopted child, no more than seven days after the date on which the adopter was notified of having been matched with a child. In a case where it is not reasonably practicable for you to give notice in accordance with the above, it should be given as soon as is reasonably practicable.

- 3.2 If an employee would like to change their date of paternity leave, they must provide the College at least 28 days in advance, unless this is not reasonably practicable.

4. Documentation

- 4.1 The employee may be asked to provide a copy of the child's birth certificate/adoption notification.

5. Return to Work

- 5.1 Employees who return to work following an isolated period of paternity leave; or a period of parental leave of no more than four weeks, are entitled to return to the same job, with the same terms and conditions, in which they were employed before.

- 5.2 Employees who return to work after a period of additional paternity leave, are entitled to return to the same job in which they were employed before or, if that is not reasonably



practicable, to another job which is both suitable and appropriate for you in the circumstances on terms no less favourable.

6. Time off for antenatal appointments

- 6.1 Employees have the right to accompany their partner to a maximum of two antenatal appointments (a maximum of 6.5 hours per appointment) made on the advice of a registered medical practitioner, registered midwife or registered health visitor. The entitlement applies regardless of the employee's hours of work or length of service. Time off for antenatal appointments is unpaid. Where it is possible to do so these appointments should be made at the beginning or end of the working day.
- 6.2 Employees may be asked to provide a declaration stating the date and time of the appointment and that you qualify for the time off in terms of your relationship with the mother of the child or the child. To be eligible you must:
- Father of the child; or
 - The husband, civil partner or partner of the mother.

7. Contact during Paternity Leave

- 7.1 It is important that the employee and line manager maintain contact during the paternity leave period. The employee must keep their manager informed of any relevant and important information, such as the proposed return to work dates.



Procedures – Unpaid Parental Leave (separate to Shared Parental Leave)

1. Parental leave

- 1.1 Parental leave allows employees to take **unpaid** leave from work for up to 18 weeks, up to the child's eighteenth birthday, to spend time to care for, or make arrangements, for the welfare of their child. Examples of parental leave include:
- taking time to settle a child into a new nursery or when starting school;
 - managing a change or temporary breakdown in childcare arrangements;
 - accompanying children on school trips.
- 1.2 Parental leave can only be taken in blocks of one or two weeks, to a maximum of 4 weeks, in one year. The year is calculated on a rolling year basis from the first day of parental leave taken by the employee.
- 1.3 The employee's terms and conditions remain unchanged during parental leave with the exception that unpaid leave is not counted as reckonable service for pension purposes.

2. Qualifying for Parental Leave

- 2.1 Employees are eligible to apply for parental leave if they:
- have been continuously employed at Jesus College for one year or more
 - have or expect to have responsibility for a child because they:
 - are the parent of a child up to the age of 18 years;
 - have adopted a child (under the age of 18 years);
 - have acquired formal, legal parental responsibility for the child up to the age of 18 years old.
- 2.2 The right to statutory parental leave is an individual right so both parents are entitled to statutory parental leave for each child. However, parental leave does not "renew itself" when people change jobs. An employee applying for such leave will be asked to declare how much parental leave they have already taken in other organisations, prior to joining the College.

3. Notification procedures

- 3.1 Employees should apply for parental leave with as much notice as possible and not less than 21 days in advance of the time they would like to take off work.
- 3.2 Other than in the event of an emergency, applications for parental leave will be considered in the same way as other leave applications, with due regard for operational requirements and business needs. The College may postpone a request for parental leave if the leave would in the College's view unduly disrupt the operations of the College. If it is necessary to postpone the date upon which the leave is taken your line manager will write to you within seven days of receipt of your request setting out reasons as to why the leave has been postponed.

We will not postpone parental leave in respect of a father wanting leave immediately after the birth of a child, or for individuals who require leave immediately after the date that an adoptive placement takes place, as long as the appropriate notice requirements are given.

The College may ask for evidence to support your request for the parental leave.



Procedures - Adoption leave

1. Adoption Leave and Pay Entitlements

- 1.1 Adoption leave mirrors maternity leave provisions in many respects. Adoption leave rights also apply to partnerships of the same sex, so references to one gender should also be taken to mean either gender.
- 1.2 The term “matched” is when the adopting parents are formally notified by an approved adoption agency that they have a child for adoption. The adoption agency will provide a Matching Certificate.
- 1.3 The Matching Week is the week when adopting parents will be placed with a child.

2. Ordinary Adoption Leave and Additional Adoption Leave

- 2.1 There are two types of Adoption Leave:
 - **Ordinary Adoption Leave (OAL)** - Ordinary Adoption Leave is granted to a qualifying employee for a maximum of 26 weeks following the placement of a child.
 - **Additional Adoption Leave - (AAL)** - This is the second period of 26 weeks leave following AAL.

3. Qualifying for Adoption Leave/Pay

- 3.1 An employee is eligible for adoption **leave** if:
 - they have been newly matched with a child for adoption by an approved adoption agency; and
 - given the correct notice for the leave.
- 3.2 An employee is eligible for adoption **pay** if:
 - they qualify for adoption leave; and
 - have been continuously employed at Jesus College for at least 26 weeks in the week they are notified that they have been matched for adoption.

4. Disruption to the Adoptive Placement

- 4.1 In the unfortunate circumstances where there is a disruption to the adoptive placement, the entitlement to statutory adoption pay expires 8 weeks after any of the following events:
 - The child is not placed;
 - The child stops living with the adopter;
 - The child dies.
- 4.2 Entitlement to statutory adoption pay will cease immediately if: the employee works in any week in which statutory pay is payable during the leave period (with the exception of KIT days); the employee is taken into custody; and/or if the employee becomes entitled to statutory sick pay.

5. Dual Approved Prospective Adopters

- 5.1 The Children and Families Act 2014 contains a provision which requires local authorities who are looking after a child, for whom they are considering adoption, to place them with local authority foster parents who are also approved prospective adopters, on a fostering basis.
- 5.2 Dual approved prospective adopters may be eligible for adoption leave and pay where they have agreed to have a child placed with them in accordance with section 22C of the Children



Act 1989, with a view to them adopting that child. To be eligible for adoption leave as a dual approved prospective adopter an employee must:

- be a local authority foster parent who has been approved as suitable to adopt the child/children you initially foster;
- have been notified by the local authority of its decision to place a child with them, in accordance with section 22C of the Children Act;
- have notified the local authority that they have agreed to the placement (initially) fostering and the date it will take place;
- give the correct notice to the College (must be given within 7 days of you being notified by the local authority or as soon as practicable).

6. Notification procedures

- 6.1 Employees must inform their manager within seven days of being notified by their adoption agency that they have been matched with a child for adoption. They should send a completed Adoption notification form to their manager along with a matching Certificate from the adoption agency. This notice must specify the date that the child is expected to be placed and the date that they would like the adoption leave to start. The manager will forward this to Human Resources.
- 6.2 If an employee wishes to change their request date of adoption leave, they must give 28 days' notice in writing to their line manager.
- 6.3 Members of staff who give notice in writing of their intention to return to their previous work in College after their adoption leave and who have been continuously employed by the College for a minimum period of 12 months before the matching date are entitled to **College adoption pay** of:
- 26 weeks' leave on full pay; and
 - 13 weeks on half pay (on the assumption half pay is not lower than SAP); and
 - up to 13 weeks on SAP.

7. Return to Work

- 7.1 Employees who decide not to return to work or who resign within three months of their return to employment, will be required to repay to the College any adoption pay paid to them, which is in excess of the statutory provision.
- 7.2 Employees who return to work at the end of their ordinary adoption leave are entitled to return to the same job, with the same terms and conditions, in which they were employed before.
- 7.3 Employees who return to work after a period of additional adoption leave are entitled to return to the same job in which they were employed before or, if that is not reasonably practicable, to another job which is both suitable and appropriate on terms no less favourable.

8. Annual Leave/Pension

- 8.1 Employees should endeavour to use all of their accrued annual leave before adoption leave begins, if this is not possible this must be agreed with their manager before adoption leave begins.
- 8.2 Annual leave entitlement will continue to accrue at the normal rate during paid adoption leave. Before coming back to work accrued annual leave should be taken.
- 8.3 Pension rights will accrue in the usual way during paid adoption leave.



9. Time off for adoption appointments

- 9.1 The main adopter is entitled to take paid time off for up to five adoption appointments. The secondary adopter will also be entitled to take unpaid time off for up to two appointments. The entitlement applies regardless of the employee's hours of work or length of service. Time off for adoption appointments is paid at the employee's normal rate of pay. Where it is possible to do so these appointments should be made at the beginning or end of the working day.
- 9.2 Employees are expected to provide notification of adoption appointments to their line manager once the appointment is confirmed.
- 9.3 With the exception of the very first appointment, the College is entitled to ask the employee for evidence of the appointments and on request, the employee must show an appointment card or other documents showing the appointment.

10. Contact during Adoption Leave (see Keeping in Touch in maternity)

- 10.1 It is important that the employee and line manager maintain contact during the adoption leave period. The employee must keep their manager informed of any relevant and important information, such as the proposed return to work dates.

11. Changing hours of work

- 11.1 At the end of adoption leave, employees who wish to request a temporary change to their working hours/pattern, must submit a request to their line manager at least eight weeks before their expected return to work date.
- 11.2 The College will also consider the opportunity for employees to return to their normal working hours on a phased basis. Accrued annual leave may be used to facilitate such request. This phased return will be an agreed regular timetable of hours and does not allow for an employee to amend their hours from week to week.
- 11.3 If an employee wishes to amend their working hours/pattern permanently, they would need to apply under the Colleges' flexible working request policy. The College will consider the requests, subject to operational requirements.



Procedures - Shared Parental Leave (SPL) and Shared Parental Pay (ShPP)

1. Shared Parental Leave (SPL) and Shared Parental Pay (ShPP)

- 1.1 The SPL and ShPP statutory schemes enable eligible parents, if they so wish, to share a period of leave and pay in the 52 weeks immediately following the birth or adoption of their child.
- 1.2 It is available to both parents who share the main caring responsibility of the child. It can only be used by the mother/primary adopter and one of the following:
 - the biological father;
 - the mother's husband or partner (including same sex relationships) or civil partner;
 - the primary adopter's spouse or partner (including same sex relationships) or civil partner.

2. Entitlement

- 2.1 Eligible members of staff may be entitled to share a maximum of 50 weeks SPL. The amount of SPL that can be taken by both parents depends on the portion of maternity/adoption leave entitlement still available once the mother/primary adopter has curtailed their maternity/adoption pay and leave entitlements.
- 2.2 The mother must compulsorily take two weeks maternity leave from the day of the birth of the child before they are able to end their maternity leave. In the case of adoption, the main adopter can take SPL after taking at least two weeks of adoption leave.
- 2.3 Eligible parents may take leave at the same time or can take leave separately.
- 2.4 SPL can be taken in either a single continuous block or in smaller amounts of complete weeks up to three separate blocks. Leave must be taken in minimum one week blocks.
- 2.5 Eligible members of staff may also be entitled to share up to 37 weeks ShPP. Pay is split as follows:
 - Up to 24 weeks' paid at the full rate of the employee's normal pay (only in the first 26 weeks following the birth/placement of the child);
 - Up to 13 weeks paid at the statutory rate of pay; and
 - Up to 13 weeks of unpaid leave
- 2.6 SPL pay will be paid in accordance with the point at which, in the above timeline, the leave is taken.
- 2.7 In the case of a multiple birth or the adoption of more than one child, the parents are entitled to the same benefits as if they were having one child.
- 2.8 SPL is only available during the first year of birth or placement for adoption. Any SPL not taken within the twelve month period will be lost.
- 2.9 Repayment of Occupational Shared Parental Pay:
In the event that a member of staff fails to return to work after a period of shared parental leave, or returns to work but fails to continue in employment for at least 3 months, the College will normally require the member of staff concerned to repay the non-statutory element of the maternity pay received.

3. Eligibility

SPL is only available to 'employees'. It is not available to casual and agency workers or self-employed contractors.



- 3.1 Each parent must qualify separately (ie in their own right) for SPL. Both parents must share the main responsibility for the care of the child and they must provide the necessary statutory notices.
- 3.2 To be eligible for Statutory Shared Parental Pay a member of staff or their partner must be:
- Have, or expect to have responsibility for caring for the child;
 - Have ended their entitlement, returned to work or given notice to reduce their maternity / adoption leave or pay / allowance e.g. take less weeks than entitled

And meet the following:

Continuity of Employment Test

- Members of staff must have at least 26 weeks continuous service at the end of the 15th week before the child's due date (or at the week in which an adopter was notified of having been matched with a child for adoption) and still be in employment in the first week of each period of shared parental leave to be taken
 - A member of staff's partner must have worked at least 26 weeks in the 66 weeks leading up to the child's due date/ matching date for adoption and have earned above the maternity allowance threshold in any 13 weeks of the 66 weeks
 - In addition to the above, to be eligible for Statutory Shared Parental Pay, the mother/adopter must have earned an average salary of the National Insurance lower earnings limit or more for the 8 weeks prior to the qualifying week, the 15th week before the expected birth/adoption.
- 3.3 There may be occasions where only one parent is eligible for SPL and ShPP. For example a self-employed parent will not be entitled to SPL themselves but they may still pass the employment and earnings test so their partner, if they are an employee, may still qualify. Where only one parent is entitled to SPL, the leave cannot be shared between them.

4. Process

- 4.1 Employees who wish to take SPL and who meet the eligibility criteria are required to give **three separate notices**:
- A notice to curtail maternity/adoption leave (if the employee is the mother or primary adopter)
 - A notice of entitlement to SPL and ShPP
 - A notice to 'book' any period(s) of SPL.
- 4.2 The College encourages individuals to have early discussions with their department about their leave arrangements in order to help with departmental planning.

5. Maternity/ Adoption Leave Curtailment Notice

- 5.1 If the employee is the mother or primary adopter, they must provide the College at least eight weeks' written notice to end their maternity/adoption leave before they or their partner can take SPL. This is the 'curtailment notice'. Notice can be given before or after the child's birth or placement but the leave cannot end until at least two weeks after.
- 5.2 The curtailment notice is binding and cannot usually be revoked. The employee may only revoke a curtailment notice if the maternity or adoption leave has not yet ended and one of the following applies:
- the employee realises that neither they or the other parent are in fact eligible for SPL or ShPP, in which case they may revoke the curtailment notice in writing up to eight weeks after it was given;
 - if the curtailment notice was given before giving birth or the placement of the child, then the employee may revoke it in writing up to eight weeks after it was given, or up to six weeks after the birth or placement, whichever is later; or



- if the other parent has died.

5.3 Once an employee has revoked their curtailment notice they will be unable to opt back into the SPL scheme, unless they revoked it in one of the circumstances described above.

6. Notice of entitlement – Birth

6.1 If the mother is an employee of Jesus College, they must provide written notice of entitlement to SPL and ShPP no less than eight weeks before the proposed start date of the leave, using our notification form.

6.2 If the mother's partner is the employee of the College similar information must be provided no later than eight weeks before the proposed start date of SPL.

6.3 The College may request a copy of the child's birth certificate within 14 days of receive the notice from the employee. The employee will have 14 days to respond to the request, with either a copy where the child has been born or an agreement to provide the certificate after birth.

6.4 The notice of entitlement to SPL and ShPP is non-binding. It can be revoked or amended, along as notice is given within the correct time frame.

6.5 Notice of entitlement – Adopter

If the primary adopter is an employee of Jesus College, they must provide written notice of entitlement to SPL and ShPP no less than either weeks before the proposed start date of the leave, using our notification form.

If the primary adopter's partner is the employee of the College, similar information must be provided no later than eight weeks before the proposed start date of SPL.

7. Booking Shared Parental Leave

7.1 The employee must give written notice to book a period of SPL, which specifies the start and end dates of the leave. The notice must be given at least eight weeks before the proposed start date.

7.2 Leave can be requested as one continuous block or in discontinuous blocks; i.e. split into shorter periods in which the individual returns to work in between

7.3 Notice periods

Up to a maximum of three notices (inclusive of any changes) to book leave can be made by each parent individually. This includes the first notice to book the leave. This means that parents can request or vary blocks of leave on three separate occasions, but must be within the first year of the child's birth or placement for adoption. If an individual wishes to take discontinuous leave in multiple blocks, with periods to return to work in between, this must be done in one single notice.

The employee will need to discuss proposals with their line manager and/or Human Resources and any changes to the agreed patterns of leave may only take place where mutual agreement between the College and employee is achieved. Where an employee intends to book leave in discontinuous blocks, they should discuss this with their line manager prior to submitting any notice to book leave.

The notice to book leave is binding, unless it is later ascertained that one of both the parents do not qualify for SPL. However if the mother or primary adopter gives their notice before the birth or placement, they have the right to require a change in the leave arrangements up to six weeks after the child's placement.



If an employee wishes to cancel or change a period of leave, the College must be notified in writing at least eight weeks before the start date of the leave. Employees do not need to give eight weeks' notice if they are changing the dates because their child was born earlier than the EWC, where they wanted to start the SPL a certain length of time after birth. In such cases employees should notify the College in writing as soon as possible.

The College reserves the right to refuse periods of leave requests. When a period of leave is requested, the outcome from the College will either be agreement to the request, a proposal of an alternative date or refusal of the request.

8. Contact during Shared Parental Leave

- 8.1 It is important that the employee and line manager maintain contact during the leave period. The employee must keep their manager informed of any relevant and important information.

9. Return to Work

- 9.1 Employees who return to work following a combined period of leave (any combination of SPL/Maternity/Paternity/Adoption) that totals 26 weeks or less, have the right to return to the same job in which they were employed before they went on leave.
- 9.2 Employees who return to work following a period of combined leave that exceeds 26 weeks or SPL was taken consecutively with more than four weeks of unpaid parental leave, the employee will normally return to the same job in which they were employed before or, if that is not reasonably practicable, to another job which is both suitable and appropriate on terms no less favourable.

10. Changing hours of work

- 10.1 At the end of SPL, employees who wish to request a temporary change to their working hours/pattern, must submit a request to their line manager at least eight weeks before their expected return to work date.
- 10.2 The College will also consider the opportunity for employees to return to their normal working hours on a phased basis. Accrued annual leave may be used to facilitate such request. This phased return will be an agreed regular timetable of hours and does not allow for an employee to amend their hours from week to week.
- 10.3 If an employee wishes to amend their working hours/pattern permanently, they would need to apply under the Colleges' flexible working request policy. The College will consider the requests, subject to operational requirements.

11. Annual Leave / Pension

- 11.1 Employees should endeavour to use all of their accrued annual leave before maternity leave begins, if this is not possible this must be agreed with their manager before maternity leave begins.
- 11.2 Annual leave entitlement will continue to accrue at the normal rate during paid shared parental leave. Before coming back to work accrued annual leave should be taken.
- 11.3 Pension rights will accrue in the usual way during paid shared parental leave. When the employee is on zero pay, no contributions are payable by either them or the College. If, when an employee returns to work, they would like to make up the pensions contributions that they did not pay because of reduced or zero pay during a period of SPL, the employee may do so.