



MICHAEL LONSDALE GROUP

The Michael Lonsdale Group inclusive of (Michael Lonsdale Ltd, Michael J Lonsdale Limited, Michael J Lonsdale (Electrical) Limited and E7 Building Services Limited) policy on:

Shared Parental Leave

Introduction

1. Shared parental leave (SPL) allows parents to split any untaken maternity or adoption leave between them. The first two weeks' after the birth or of adoption leave are compulsory maternity leave or adoption leave and must be taken by the mother or primary adopter. After that there are up to a maximum of 50 weeks' SPL and 37 weeks' statutory shared parental pay (ShPP) available to be shared by the parents.
2. You and your co-parent can decide together how you will split up this remaining leave and pay entitlement between you. As this is shared, the leave and pay taken by one parent will reduce the pool of leave and pay that is available to the other parent.
3. SPL is optional. We will always assume that on the birth or adoption of a child, you will take 52 weeks' [maternity](#) or [adoption](#) leave until you state otherwise.
4. You will need to take any SPL in a minimum block of one week and will only be able to take it once your child has been born or placed for adoption.
5. You may take SPL together with your co-parent or separately. The right to SPL is also in addition to any [statutory paternity leave](#) that you or your partner may be entitled to.
6. This policy is non-contractual and may be amended from time to time. Parts of the policy, including time limits, may also be varied as appropriate in any case.

Eligibility

7. As the child's parents you are entitled to take SPL. However, you will also need to meet the following conditions.
 - You have at least 26 weeks' continuous employment with us by the end of the 15th week before the week your baby is due to be born or, for adoption, in the week when you were matched with your child.
 - Your co-parent has worked (in either an employed or self-employed capacity) in at least 26 of the 66 weeks before the week in which your baby is due or you were matched with a child and they have earned at least £30 a week on average for 13 of those weeks.
8. You and your co-parent have given the necessary statutory notice and declarations to end any other leave. Everything you need to know about these notices and declarations and what should be detailed in them are included within this policy.



MICHAEL LONSDALE GROUP

Process of taking SPL

9. If you wish to take SPL you will need to complete various forms to confirm when you want to take your leave and to confirm that any maternity or adoption leave taken by you or your co-parent is coming to an end. We may also ask you to provide the following to demonstrate that you are able to take SPL.
 - A copy of your baby's birth certificate (or, if you don't yet have this, a signed declaration of the baby's date and place of birth).
 - A copy of the documentation from your adoption agency which shows the name and address of the agency, the date you were notified that you had been matched for adoption and the expected date your child will be placed with you.
 - The name and address of the employer of your co-parent.
 - We may also receive requests from your co-parent's employer to verify that you are employed by us. This will be to confirm your co-parent's eligibility to take SPL. We will always co-operate with these requests. If you apply to take SPL, we will take this as your consent to us sharing this information with your co-parent's employer.
10. There may also be times when we need to contact your co-parent's employer to confirm that they are employed by them and to clarify the dates of any leave they have taken. By providing details of their employer we will again take this as your consent that you are happy for us to contact them should we be required to do so.

Ending my maternity/adoption leave and starting to take SPL.

The child's mother or the primary adopter

11. If you are the child's mother or you are the primary adopter and you would like to take SPL, then you will need to either:
 - end your maternity/adoption leave by returning to work, or
 - give us notice of when you are planning to end any maternity/adoption leave. This notice is called the curtailment notice.
12. The first two weeks after birth, or of adoption leave, are compulsory maternity and adoption leave and you will not be able to end your leave before that point. However, you can end your maternity or adoption leave at any point from week three onwards.
13. You will need to complete a [Curtailment Notice Form SPL1](#) (obtained from the Accounts Department) and send it back to HR at least eight weeks before you want to start SPL. You can complete this form at any time before or during your maternity or adoption leave. It is also important that you keep your manager up to date so they can ensure they plan for any cover that may be needed for your role.
14. Once you have submitted your curtailment notice it is usually binding. However, there are some circumstances if you are still on maternity or adoption leave when you can change your decision to end it. These include:
 - You realise during the eight-week notice period that neither you nor your co-parent are eligible for SPL or ShPP. If this is the case, you can withdraw the curtailment notice in writing up to eight weeks after you submitted it.



MICHAEL LONSDALE GROUP

- You are on or are going to be on maternity leave and you gave a curtailment notice before birth, in which case you can withdraw it in writing up to eight weeks after you submitted it, or up to six weeks after birth, whichever is later.
 - You are on or are going to be on adoption leave and you gave a curtailment notice before the placement, in which case you can withdraw it in writing up to eight weeks after you submitted it, or up to six weeks after the placement, whichever is later.
 - Your co-parent has died.
15. At the same time, you submit your curtailment notice you will also need to opt into the SPL scheme and confirm that your co-parent has done the same.

The co-parent

16. If you are the co-parent, you can take SPL once the mother or primary adopter has given one of the following notices:
- a curtailment notice to their employer to end maternity or adoption leave
 - a curtailment notice to end their statutory maternity or adoption pay (SMP/SAP) if they are not entitled to maternity or adoption leave but are entitled to pay
 - a curtailment notice to the benefits office to end her maternity allowance (MA) if she is not entitled to maternity leave or statutory maternity pay.

Opting into SPL and pay

17. At least eight weeks before the date you would like your SPL to start, you need to give us a [written opt in notice \(SPL form 2 or 3\)](#) (obtained from the Accounts Department.) The information you need to provide is detailed on the form and includes:
- Your partner's name.
 - If you are the child's mother or primary adopter, the start and end date of your maternity/adoption leave.
 - If you are the co-parent, the start and end dates of the mother's maternity/primary adopter's adoption leave; or if they are not entitled to maternity/adoption leave, the start and end dates of any SMP/SAP or MA period.
 - If adopting a child, the date you were told you had been matched with a child and the date of placement.
 - The total amount of SPL available (which is 52 weeks minus the number of weeks maternity/adoption leave, SMP, SAP or MA period taken or to be taken).
 - The amount of SPL each parent intends to take (you can change the allocation by giving us a further written notice, and you do not have to use your full allocation).
 - If you are claiming ShPP, the total ShPP available (which is 39 weeks minus the number of weeks of SMP/SAP or MA taken or to be taken).
 - How much of that pay will be allocated to you and how much to the other parent (again you can change the allocation by giving us a further written notice, and you do not have to use your full allocation).
 - An indication of the pattern of leave you are thinking of taking, including suggested start and end dates for each leave period. This indication can be changed if needed, but please give us as much information as you can about your future intentions.



MICHAEL LONSDALE GROUP

- Declarations by you and the other parent that you meet the statutory conditions for entitlement to SPL and ShPP.
- If you provide any false or misleading information we will manage this in line with our disciplinary policy, so it's important that you are honest about you and your co-parent's eligibility and the leave you have both taken or plan on taking.

Requesting leave

18. You will also be required to complete a period of leave notice (SPL4) which sets out when you are intending to take the leave. You can give up to three period of leave notices to book up to three separate continuous blocks of SPL. The form can be obtained from the Accounts Department.
19. A request for discontinuous blocks of leave covers a request for a number of shorter blocks of leave where you will have periods of work in between.
20. If you want to request discontinuous blocks of leave you must still submit a period of leave notice setting out the requested pattern of leave at least eight weeks before the date you would like the first block of leave to start.
21. If we are unable to agree your request straight away, there will be a two-week discussion period where we will meet with you to talk about the options that can be accommodated. At the end of this period, we will write to you to confirm the agreed arrangements.
22. If we can't accommodate the pattern you've requested, and we have not been able to reach an agreement then you will be entitled to take the full amount of requested SPL as one continuous block. This block will start on the start date given in your notice so if you requested four separate periods of one month each, you will be entitled to one four-month period of leave which would start from the date of the first block.
23. If you do not wish to do this then you can:
 - choose a new start date (which must be at least eight weeks after your original period of leave notice was given), and tell us what this is within five days of the end of the two weeks discussion period, or
 - withdraw your period of leave notice within two days of the end of the two-week discussion period. You may then submit a new one if you wish.

Changing the dates or cancelling the SPL

24. If you wish to cancel a period of SPL, you should tell us this in writing at least eight weeks before the date it is due to start by completing the from SPL5 notice of cancellation and variation.
25. Alternatively, you can change the dates for a period of SPL if you tell us at least eight weeks before the original start date and the new start date.
26. You do not need to give eight weeks' notice if you are changing the dates of your SPL because your child was born or placed with you earlier than the expected week of childbirth or placement, and you had indicated you wished to start your SPL within



MICHAEL LONSDALE GROUP

eight weeks of the birth or placement. If this is the case, please notify us in writing of the change as soon as you can.

27. Please note that a notice to cancel or change a period of leave will count as one of your three SPL period of leave notices, unless:
- you are varying the dates or cancelling the leave because your child was born earlier or later than the week it was expected to be born or, in the case of adoption, placed earlier or later than expected
 - we have asked you to vary your leave for operational reasons, or
 - we agree otherwise.

Shared parental leave pay

28. If you take SPL and provide the appropriate notice you will be entitled to ShPP.
29. If your co-parent is employed by another organisation and you are therefore the only one employed by the Michael Lonsdale Group once you take SPL if there is any pay left to share you will only be eligible for ShPP.
30. ShPP is paid at a rate set by the government each year and you will either be paid this rate or 90% of an employee's average weekly earnings, whichever is lower. ShPP of up to 37 weeks is usually available to share.

Keeping in touch days

31. You can agree to work up to 20 keeping in touch days ('SPLIT' days) during your SPL without bringing your SPL to an end or affecting your entitlement to ShPP. This is in addition to any keeping in touch days that you may have taken during maternity or adoption leave.
32. You will be paid at your normal salary for any SPLIT days that you work, and this will include any ShPP entitlement.
33. SPLIT days are counted in calendar days. So, any time that you come in to work on a SPLIT day will count as one whole day from your allowance of 20 days, even if you only work part of the day. However, if you do only work part of the day, you will only be paid for the hours that you have worked.
34. You don't have to come in for SPLIT days. But if you do wish to take make use of them you should contact your manager in advance to discuss the arrangements. If you come into the office for a SPLIT day, this does not extend your period of SPL by the number of days you work. Your SPL will still finish on the date agreed with us.

Contact during SPL

35. We may need to get in touch with you while you are on SPL to discuss a range of issues. For example, to discuss arrangements for returning to work, or to keep you informed of important developments in the workplace.

Contract and benefits during SPL

36. All your normal terms and conditions of employment remain unchanged during your SPL and you will continue to be bound by your obligation of good faith and any express



MICHAEL LONSDALE GROUP

obligation to the Michael Lonsdale Group including your obligations about data protection and not disclosing confidential information.

Annual leave

37. Your annual leave will continue to accrue at the rate provided under your contract. If your SPL will continue into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting a new year can be carried over and should be taken before returning to work unless your manager agrees otherwise.
38. Please discuss your holiday plans with your manager in good time before starting SPL so they can plan for your absence. All holiday dates are subject to approval by your manager.

Pension

39. If you are a member of a pension scheme, you will continue to build up your retirement benefits while you receive ShPP.

Returning to work after SPL

40. If you return to work at the end of your SPL (expected return date), you do not need to notify us in writing, although it would be helpful if you do get in touch and confirm your return date.
41. If you decide to come back to work before your expected return date, you must give us eight weeks' notice of the new return date. It would be helpful if you give this notice in writing.
42. If you want to extend your SPL, you will need to submit a new period of leave notice at least eight weeks before your expected return date. You can only do this if you still have some SPL entitlement left and have not already submitted three periods of leave notices. If you are unable to request more SPL, you may be able to request annual leave or ordinary parental leave. We will consider your request in line with our policies and usual practice for ordinary parental and annual leave.
43. If you are unable to return to work because of sickness or injury, your absence will be treated as sickness absence and our usual sickness absence policy will apply.

Deciding not to return

44. If you decide you do not wish to return to work, you must give us written notice of resignation, as required by your contract of employment.

Your rights on your return to work

45. You are normally entitled to return to work in the position you held before starting SPL and on the same terms of employment. However, if you have taken more than 26 weeks' leave (including SPL and maternity/adoption leave) and/or you combined your leave with more than four weeks' parental leave (under our parental leave policy), and it is not reasonably practicable for us to allow you to return to the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable.



MICHAEL LONSDALE GROUP

46. If you want to change your hours or other working arrangements on return from SPL, you should make a request under our flexible working policy. It is helpful if you can make your request as early as possible.

Help and advice

47. If you need any more information about our shared parental leave policy, you should ask HR who will be pleased to help.

General

48. The Michael Lonsdale Group reserves the right to amend or alter this policy and procedure at any time. In exceptional circumstances, the terms of the policy may be varied with the agreement of the Managing Director

Name: Gary Herbert

Signature:

For and on behalf of the
Michael J Lonsdale Group Board of Directors
(Michael J Lonsdale Limited/ Michael J
Lonsdale (Electrical) Limited
E7 Building Services Limited

Position: Managing Director

Date: 20th October 2021