

# Recommendations for employers to facilitate employees taking Shared Parental Leave

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Shared Parental Leave (SPL) was introduced by the government in April 2015. It enables eligible parents to take up to 50 weeks leave from work in the first year of their child's life (37 weeks of which can be paid).

Last year we completed some research which examined how SPL has been implemented by employers. We interviewed fathers about their experience of finding out about and requesting SPL and HR-qualified employees about how SPL was implemented in their company. We wanted to establish whether the experience of employees at work has contributed to the low take up of SPL by fathers.

The recommendations which follow are primarily aimed at small or medium-sized businesses which may not yet know what SPL is or have received any queries from employees about it. They are not meant to be an exhaustive guide on how to implement SPL – there are links to more information below if further guidance would be helpful – but they do attempt to summarise some good practice in this area for employers who are looking to support their employees through the often tricky first year of being a parent.

These recommendations are very much based on the findings from our research.

## 1. Have a written SPL policy in place

- We found that HR managers were nervous about the complexity of the rules around SPL. However all the employees who we interviewed had access to a company policy which tried to introduce SPL in non-technical language. To encourage take-up, it is vital that employees have a document produced by their employer in language which they understand and which is easily accessible, preferably online or via an intranet. You don't have to re-invent the wheel – if your policy is online, you can include links to other useful websites. For example, GOV.UK enables parents to find out whether they are eligible for maternity leave, paternity leave and SPL, so you don't have to explain it in an exhaustive way.
- Your SPL policy doesn't have to be set in stone. We found that employers re-drafted sections in response to queries they had from employees:

*'At first, the temptation was to put everything in the policy, as we wanted to make sure we had everything covered. Now we've stripped it back a bit, as we learn the important things that colleagues want to know.'* (HR interview, 1 June 2017)

## 2. Update existing policies

If you have policies in place which deal with subjects such as parental leave or flexible working, make sure they use gender neutral language so your male employees who are dads feel that these things are not just for mums.

## 3. Have a designated person or a small team who can provide expert advice on SPL

- Rather than training line managers, we found that employers with effective provision in place had a designated person or small group who were specialists on SPL. The law which established SPL is complex and it is important that employees have someone they can go

to in-house who will provide them with advice. Having someone who is confident that they can help employees might also mean that your HR personnel might give SPL a higher profile in terms of policy provision.

- The ACAS website is a good source of information. It has a good practice guide for employers, which takes you through the process step-by-step, and a sample policy and letter templates which can be adapted.<sup>1</sup> ACAS also provide face-to-face training sessions. An organisation called Working Families also has a useful section on SPL as well as case studies detailing how other companies have implemented change in this area.<sup>2</sup>
- You may only have one person who is responsible for HR in your company and it is not practical for them to become an expert. If so, you might be able to access advice through a parent company or professional institution e.g. CIPD.

#### **4. Don't be afraid to discuss the timing of leave with employees**

- Employees have the right to take SPL if it's in a continuous block, but don't be afraid to discuss the timing of leave with employees who have requested it. We've found that employees want to minimise the impact of taking leave on their employers and have generally discussed their plans informally with their managers before making a formal application:

*'...so rather than me bringing this to them and saying this is what I'm doing – I'm leaving the office on September and you won't see me till March – there was a bit of a requirement to have a sort of more friendly round the table chat around "is this a good time to do this?"; "I'd really like to do this but can the business accommodate it?"; "What would my job role look like when I came back?"; "Any assurances around continuity of my job when I return to work?" etc.'* (Dad interview, 13 July 2017)

- If the employee could take leave at a time which is more convenient for the business, try to come to an agreement before a formal request is made. Ultimately employees can take continuous leave when they want, but it seems that most will be open to having a discussion. Likewise with the length of leave. If, for example, an employee wants to take a longer period of leave than you would ideally like, could you agree that leave could be taken discontinuously, enabling him or her to be at work during a particularly busy period? Could you ask the employee to combine SPL and work? Employees can work for up to 20 days during SPL without losing their entitlement to statutory pay.

#### **5. Meet with employees before they go on leave and when they return**

Planning and preparation for employees' absence is vital for the business to run effectively and to provide reassurance to employees, particularly if they have requested discontinuous leave. Explain what is going to happen to the employee's workload in their absence and reassure them that they will return to the same job following their leave. Employees are not legally entitled to return to exactly the same job if they have taken SPL for more than 26 weeks, but usually it would be difficult to justify changing the employee's role.

When employees return from a longer block of leave, e.g. 12 weeks or more, could you offer them short-term support to help manage the transition from leave back to work, for example flexibility in terms of what work they do and/or working patterns, or time to work from home?

#### **6. Tracking employees who have taken SPL**

In order to make informed decisions about SPL provision in the future, it would be worth keeping some data on the types of employees who have asked for information on or taken SPL, e.g. by query type, gender, job role/seniority, and length of service. Likewise after employees return to

work after SPL—are they staying with the company, asking for flexible working, applying for promotion, and/or being awarded pay rises? This information will help inform decision-making around appropriate support for working parents. Larger employers could even take this one step further and introduce a passport scheme which documents the needs of parents (and the adjustments made) which travels with them if their role or line manager changes.

## **7. Sign up to a benchmarking scheme**

Signing up to schemes such as Working Families' Top Employers for Working Families Awards or Investors in People accreditation is beneficial in terms of improving internal procedures. It is also good PR.

## **8. Importance of role models**

Make the most of any dads who have recently taken parental leave or who work flexibly in order to help care for their children. Could you interview them about their experiences and put it online so that other employees can access it? Could they speak to new parent/expectant parent employees over coffee or lunch? This would provide some encouragement and reassurance to parents (particularly dads) who might take up SPL and/or flexible working in the future.

## **9. Take a joined up approach**

- Employers who have successfully created a supportive working culture for parents and other carers tend to take a holistic view which operates across their HR policies:

*'SPL fits with our diversity agenda, one strand of which is the progression of women within the organisation. Part of that is to create a culture where childcare is not viewed as a women's activity. Encouraging and making it easy for dads to take SPL and share the childcare helps with that.'* (HR interview, 1 June 2017)

*'I work for an organisation that prides itself on its equality agenda...'* (Dad interview, 19 July 2017)

- Take the opportunity to review other policies which might be accessed by parents to establish if they are still fit for purpose. Would promoting SPL complement other objectives which you're pursuing, e.g. increasing workforce diversity, promotion of more women? When was the last time that your line managers received an update on these policies? Are managers getting the message that you want to support working parents?

## **10. Consider offering enhanced pay to parents taking SPL**

The statutory rate of pay available to parents taking SPL is generally unattractive to all but the lowest paid employees. Taking SPL does not always come down to money, but we've found that companies which offer an enhanced contractual rate of pay find that employees are more willing to take it. What would you as an employer get in return? Studies have shown that employees who can reconcile work and family life effectively can be more productive and more loyal, allowing you to retain experienced staff and maintain a more diverse workforce. It may also enable you to recruit better quality employees into your business.

We've found that employers can be nervous about committing themselves to an enhanced rate because they are unsure about what the take up would be. If you feel that you want to have a clearer picture about how many employees might want to take SPL before you act, why not ask your employees who have had children recently or who are expectant parents to see if they would take it up with an enhanced rate?

'When we were trying to assess the impact SPL could have the likely uptake, we did a survey of colleagues who'd recently taken paternity leave. We asked them how they'd have viewed shared parental leave if it had been available for them. We asked if it would be attractive with or without any enhanced pay, and if there were any other barriers to them taking it, so we could understand the issues.' (HR interview, 1 June 2017)

## 11. Talk to other employers

Are you a member of a group or association with other employers in your sector? Discuss what they're doing with SPL and perhaps you can learn something from them which you can implement in your own company. Or perhaps you can take the lead?

### Notes

<sup>1</sup> <http://acas.org.uk/spl>

<sup>2</sup> <http://workingfamilies.org.uk/article-categories/shared-parental-leave>

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### Contact details

Our research in this area is ongoing. I am in the process of writing an article entitled 'Organisational awareness of and parental commitment to Shared Parental Leave in the UK: towards a conceptual model' that I will submit to the *Journal of European Social Policy* in the New Year.

Please do contact me if you would like to discuss any of the issues raised in this briefing or would like to talk to me about how you implemented SPL in your organisation.

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