

## LV= Shared Parental Leave & Pay - Bite Size

Shared parental leave is available to parents with babies due to be born, or matched for adoption, on or after 5 April 2015. It enables pregnant persons to commit to ending their maternity leave and pay at a future date, and to share the untaken balance of leave and pay as 'shared parental leave' (ShPL) and 'shared parental pay' (ShPP) with their partner, or to return to work early from maternity leave and opt in to ShPL and ShPP.

It can be taken in addition to maternity leave, paternity leave, adoption leave and/or ordinary parental leave. This system of leave replaces additional paternity leave (APL), which now only applies to parents of babies due to be born or placed for adoption on or before 4 April 2015.

Those eligible for ShPL and ShPP could share up to 50 weeks' leave and up to 37 weeks' pay. The minimum period of ShPL is 1 week (prorata for part time) and you should give us at least 8 weeks' notice if you wish to take this type of leave. Requests for single continuous blocks of leave will be honoured. Requests for discontinuous blocks of leave will require discussion and agreement with your manager, although we'll always look to agree a suitable pattern of leave that meets both your family's and our operational requirements.

You'll need to notify us of your 'Entitlement and Intention to take ShPL and ShPP' by entering the relevant details into HeRo. If you're simply curtailing your maternity or adoption leave in order to opt into the system of ShPL and ShPP, there's a 'Maternity/Adoption Curtailment Notice' on HeRo. If you wish to give us binding dates for your leave, then there's a 'Period of Leave' notice on HeRo too.

Please ensure that you've read the full ShPL policy before opting in to this system of leave - once you've curtailed your maternity or adoption leave, there are only limited circumstances that allow you to change your mind and go back onto maternity or adoption leave.

## LV= Shared Parental Leave & Pay - In Depth

Shared parental leave is available to parents with babies due on or after 5 April 2015. It enables pregnant persons to commit to ending their maternity leave and pay at a future date, and to share the untaken balance of leave and pay as 'shared parental leave' (ShPL) and 'shared parental pay' (ShPP) with their partner, or to return to work early from maternity leave and opt in to SHPL and ShPP.

ShPL can be taken in addition to maternity and adoption leave (provided this has been curtailed), paternity leave and/or ordinary parental leave. Therefore it is advisable to read this Policy in conjunction with our maternity, paternity, adoption and parental leave policies, which are available on MyLV=.

We recognise that the ShPL provisions detailed below are complex, so please refer to the online calculator which will help you assess your eligibility for leave and pay when having a child: <https://www.gov.uk/pay-leave-for-parents>. If at any time you or your manager have any questions about the entitlement or the procedure for agreeing time off under this system, please contact HR Support for guidance.

This policy does not form part of your contract of employment and will be reviewed, changed and updated from time to time.

## Definitions

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The following definitions are used in this policy:

- "pregnant person" means the person who is due to give birth, primary adopter in an adoption partnership, or the 'main partner' in a same sex partnership.
- "partner" means the second parent of the child, or the person who, at the date of the child's birth, is married to, the civil partner of, or the partner of the pregnant person. This includes someone, of either sex, who lives with the pregnant person and the child in an enduring family relationship but who is not the pregnant person's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.
- "expected week of childbirth" means the week, starting on a Sunday, during which the pregnant person's doctor or midwife expects them to give birth.

## Scope

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This policy applies to LV= employees, whether they are the pregnant person or the partner. If you are the pregnant person employed by LV=, we ask that your partner checks their employer's ShPL policy and submits any notifications to take ShPL to their employer.

Similarly, if it is the partner who is employed by LV=, the pregnant person must check their employer's ShPL policy and submit any notifications to their own employer.

Both the pregnant person and the partner should ensure that they are each liaising with their own employer to ensure that their combined request for ShPL is handled as smoothly as possible.

## Amount of ShPL available

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The amount of ShPL to which an individual is entitled will depend on when the pregnant person brings their maternity leave period to an end and the amount of leave that the other parent takes in respect of the child. ShPL must be taken in blocks of at least one week. You can request to take ShPL in one continuous block (in which case LV= will accept the request as long as you meet the eligibility and notice requirements), or in some cases as a number of discontinuous blocks of leave (in which case your manager will review operational and other requirements and discuss the request with you). Your manager may not always be able to agree your request for discontinuous blocks of leave, due to operational or other requirements, but in all cases you will have the opportunity to discuss your request and if your original request cannot be accommodated, then alternatives should be discussed. A maximum of three requests for ShPL per pregnancy can normally be made by each parent.

The first two weeks following birth (or four weeks if your partner works in a factory) are the compulsory maternity leave period and are reserved for the pregnant person. This means that the pregnant person cannot curtail their maternity leave to take ShPL until two weeks (or four weeks if they work elsewhere in a factory) after the birth and the maximum period that the parents could take as ShPL is 50 weeks between them (although it will normally be less than this because most pregnant persons usually take an amount of maternity leave before the birth).

The partner can begin a period of ShPL at any time from the date of the child's birth, but the partner should bear in mind that they are entitled to take up to two weeks' ordinary paternity leave following the birth of their child, which will be forfeited if ShPL is taken first. More information on Paternity Leave & Pay can be found on the intranet.

The pregnant person and partner must take any ShPL within 52 weeks of the birth of their child.

## Eligibility for ShPL

For employees to be eligible to take ShPL, both parents must meet certain eligibility requirements. There's an online calculator to help you assess your eligibility for leave and pay when having a child: <https://www.gov.uk/pay-leave-for-parents>. Please see Appendix 1 below for the full details of the eligibility criteria that apply.

## Notice requirements

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The notices that the parents must give to their respective employers are made up of three elements. They are:

- a 'maternity leave curtailment notice' (see below) from the pregnant person setting out when they propose to end their maternity leave (unless the pregnant person has already returned to work from maternity leave);
- a 'notice of entitlement and intention' (see below) from the employee giving an initial, non-binding indication of each period of ShPL that they are requesting; and
- a 'period of leave notice' (see below) from the employee setting out the binding start and end dates of each period of ShPL that they are requesting.

The notice periods set out below are the minimum required by law. However, the earlier you inform us of your intentions, the more likely it is that we'll be able to accommodate your wishes, particularly if you want to take periods of discontinuous leave. If you've already decided the pattern of ShPL that you'd like to take, you can provide a maternity leave curtailment notice (if you're the mother), notice of entitlement and intention and period of leave notice at the same time.

### 1. Notice to curtail maternity/adoption leave

Before the pregnant person or partner can take ShPL, the pregnant person must either return to work before the end of their maternity leave (by giving the required eight weeks' notice of their planned return) or provide a maternity leave curtailment notice (see HeRo). This form must be provided at least 8 weeks in advance of the start of the ShPL and must state the date on which maternity leave is to end. That date must:

- be no earlier than the start of week 3 (or week 5 if your partner works in a factory) after the child's birth (i.e. the first day after the compulsory maternity leave period);
- be no later than one week before what would be the end of the additional maternity leave period.

### *Changing your mind about ending maternity leave*

The pregnant person can withdraw their notice curtailing their maternity leave in limited circumstances:

- if it is discovered that neither the pregnant person nor the partner are entitled to ShPL or ShPP, and the pregnant person makes the withdrawal within eight weeks of the date on which the original notice to curtail maternity leave was given;

- if the maternity leave curtailment notice was given before the birth of the child and the pregnant person changes their mind and withdraws their maternity leave curtailment notice within six weeks of the child's birth; or
- if the partner has died.

## 2. Notice of entitlement and intention

The employee, whether the pregnant person or the partner, must provide their line manager with their notice of entitlement and intention (see HeRo). This must be in writing and be provided at least eight weeks before the start date of the first period of ShPL. Within 14 days of receiving a notice of entitlement and intention from either the pregnant person or partner, LV= may request a copy of the child's birth certificate (or, if the child has not been born, a copy of the birth certificate within 14 days of the birth - if the birth certificate has yet to be issued after this period, a signed declaration stating the date and location of the child's birth will suffice). We'll give you 14 days from the date of the request to send us the required information if we ask for it.

### *Variation or cancellation of notice of entitlement and intention*

You can vary or cancel your proposed ShPL dates if you've already submitted a notice of entitlement and intention, provided that you give your line manager written notice. This can be in the form of an email, which is agreed in writing by your manager to HR Support. The written notice should contain:

- the dates you originally gave to us and which are now being cancelled or varied, along with the new dates of shared parental leave (including the start and end dates for each period of leave);
- the periods of statutory ShPP that you originally gave to us and which are now being cancelled or varied along with the new periods of ShPP, and
- a declaration signed by the pregnant person and the partner that they agree to the variation.

## 3. Period of leave notice

If you have only provided us with a non-binding indication of when you'd like to take a period of ShPL, you must provide us with binding written notice setting out the start and end dates of each period of ShPL at least eight weeks before the start date of the first period of ShPL using the Period of Notice form on HeRo. Binding notice may already have been given at the same time as a notice of entitlement and intention, in which case this form's not required.

### *Variation or cancellation of period of leave notice*

You can vary or cancel your ShPL dates, provided you give us written notice of not less than eight weeks. The written notice can be in the form of an email which is agreed by your manager in writing to HR Support. The written notice should contain:

- the dates you originally gave to us and which are now being cancelled or varied, along with the new dates of shared parental leave (including the start and end dates for each period of leave);
- the periods of statutory ShPP that you originally gave to us and which are now being cancelled or varied along with the new periods of ShPP, and
- a declaration signed by the pregnant person and the partner that they agree to the variation.

You can provide a combined total of up to three binding leave notices or variations notices per pregnancy, although we may be able to accommodate further requests or variations in exceptional circumstances.

## Requesting continuous & discontinuous periods of leave

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If you request one continuous period of leave, you'll be entitled to take that period of leave provided you meet the eligibility criteria. If you request discontinuous periods of leave, in the two weeks after the request is made (the 'discussion period'), your manager will either:

- confirm agreement to the pattern of leave requested if it can be facilitated;
- propose an alternative pattern of leave which might work better operationally or otherwise for the business; or
- refuse the pattern of leave requested.

If agreement is reached within the discussion period, we'll write to you to confirm the dates agreed.

If no agreement has been reached within the discussion period, you'll be entitled to take the leave requested as one continuous period of leave. In that event, you must choose a start date for the leave that is at least eight weeks from the date on which the period of leave notice was originally given. You must notify us of the start date within five days of the end of the discussion period. If you don't notify us of the start date within five days of the end of the period, we'll do our best to facilitate the date you notify, but we could automatically start the period of continuous leave on the date of the first period of leave requested in the original period of leave notice.

Alternatively, if we've not been able to reach agreement during the discussion period, you may withdraw your request for discontinuous leave. You can withdraw at any time on or before the 15th day after the period of leave notice was given and it then won't count towards the total number of requests for leave that an employee can make.

## Shared Parental Pay (ShPP)

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ShPP is available for eligible parents to share between them while on ShPL. The number of weeks' ShPP available depends on how much statutory maternity pay or maternity allowance the pregnant person has been paid when their maternity leave or pay period ends. A total of 39 weeks' statutory maternity pay or maternity allowance is available to the pregnant person. As there is a compulsory maternity leave period of two weeks (or four weeks if your partner works elsewhere in a factory), this means that a pregnant person who ends their maternity leave at the earliest opportunity could share up to 37 weeks' ShPP with their partner (although it will normally be less than this because of the maternity leave that pregnant persons usually take before the birth). Any ShPP due during ShPL will be paid at a rate set by the Government for the relevant tax year, or at 90% of the employee's average weekly earnings, if this figure is lower than the Government's set weekly rate. It is up to the partners to decide how ShPP is apportioned between them.

## Eligibility for ShPP

For employees to be eligible for ShPP, both partners must meet certain eligibility requirements. There's an online calculator to help you assess your eligibility for leave and pay when having a

child: <https://www.gov.uk/pay-leave-for-parents>. See Appendix 2 below for the full eligibility criteria for ShPP.

## During ShPL

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### Your employment contract

During your ShPL, your employment contract with us continues to be in force, except for your normal pay. This means all your usual terms and conditions apply including terms relating to mutual obligations of trust and confidence, notice periods, disciplinary and grievance procedures and redundancy pay etc. With the exception of pay and attendance at work, the employment relationship between us will continue as if you were at work rather than on ShPL. Holiday entitlement continues to accrue at the rate provided under your contract of employment. You won't be able to take your holiday entitlement during a period of ShPL, but you could take holiday, with your manager's agreement, in a gap of ShPL when you'd normally be back at work. You should plan ahead and agree with your manager when you'll be using your holiday, especially if you'll be away from work on ShPL for a significant period of time. Participation in any bonus/incentive scheme whilst on ShPL is subject to the relevant bonus/incentive scheme rules. For more information please visit the (ASR) pages of MyLV=.

### Benefits

Whilst on shared parental leave, your salary sacrifice benefits will be funded by LV=. If you have retail vouchers, these will be cancelled from the month you start statutory payments as they are a net deduction and you can begin them again once you return to work.

Your pension scheme membership will be maintained whilst you are on shared parental leave. If you resign or are dismissed before returning to work your pension scheme membership will be deemed to have ended on your last day of employment (including any notice period).

Prior to you going on ShPL you can review your flexible benefits on MyChoice and if you wish to request a 'change of circumstance'. Once your baby has been born you may wish to add them to your existing flexible benefits such as private medical insurance (if you have it already) by contacting HR Support Centre with their date of birth, full name and gender. Please ensure you email us within 30 days of the birth to ensure that they don't require medical underwriting. You can select annual leave as a flexible benefit in the annual renewal window after you return to work, effective from the following January.

We operate a salary-sacrifice Childcare Voucher scheme via Kiddivouchers which, if you don't already have for a previous child, can be selected once you return to work. The vouchers help save you money on childcare at registered nurseries and other childcare providers.

Please visit our Reward pages for further information.

### Keeping in Touch

While you're away, we'll try to keep in touch with you whenever appropriate. This may be to discuss your plans for returning to work, to discuss any special arrangements to be made or training to be given to ease your return to work or to update you on developments at work during your absence. We might send you copies of our corporate communications and the link to our internal vacancy list. Please speak to your manager about what you'd like to receive whilst you are away from work so this

can be arranged. You're welcome to apply for any internal vacancy that interests you. If you're successful, we'll try to agree a start date for the new role that's mutually convenient, depending when your ShPL ends.

You can return to work for up to 20 days during ShPL without that work bringing the period of ShPL and ShPP to an end. These are known as "shared-parental-leave-in-touch" (SPLIT) days and they don't need to run consecutively. You will be paid your normal contractual basic rate of pay for the hours that you work. You may carry out the normal duties relevant to your role, or any other work that has been agreed between you and your manager e.g. training/briefing session(s), team meetings, conferences or consultation meetings. SPLIT days aren't mandatory. We may choose not to offer SPLIT days at our discretion. Equally, there is no obligation for you to agree to work during ShPL if you don't wish to. You will not suffer any detriment based on your decision to work SPLIT days or not.

## Returning to work

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You'll normally be able to resume working in the same job on the same terms if the period(s) of ShPL statutory maternity leave or statutory paternity leave taken in relation to the same child, is 26 weeks or less. If the period(s) of absence is more than 26 weeks, includes a period of ordinary parental leave of more than four weeks, or a period of additional maternity leave, you'll be able to return to the same job unless this is not reasonably practicable. If it's not reasonably practicable for you to return to your original role, you'll be able to return to a similar role i.e. a job that has the same or better terms and conditions. If you unreasonably refuse to take the similar job we may treat this as your resignation.

Once you've returned to work, if you need any support you should speak to your manager, or alternatively you can contact HR Support.

# Appendix 1 - Eligibility for ShPL

## Pregnant person's eligibility

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The pregnant person is eligible for ShPL if they:

- have at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remains in continuous employment with the organisation until the week before any period of ShPL that they take;
- have, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child;
- is entitled to statutory maternity leave in respect of the child; and
- complies with the relevant maternity leave curtailment requirements (or has returned to work before the end of statutory maternity leave), and ShPL notice and evidence requirements.

In addition, for the pregnant person to be eligible for ShPL, the partner must:

- have been employed or been a self-employed earner in at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have average weekly earnings of at least the maternity allowance threshold for any 13 of those 66 weeks; and
- have, at the date of the child's birth, the main responsibility, apart from the mother, for the care of the child.

## Partner's eligibility

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The partner is eligible for ShPL if they:

- have at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remains in continuous employment with the organisation until the week before any period of ShPL that he/she takes;
- have, at the date of the child's birth, the main responsibility, apart from the pregnant person, for the care of the child; and
- complies with the relevant ShPL notice and evidence requirements.

In addition, for the partner to be eligible for ShPL, the pregnant person must:

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have average weekly earnings of at least the maternity allowance threshold for any 13 of those 66 weeks;
- have, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child; be entitled to statutory maternity leave, statutory maternity pay or maternity allowance in respect of the child; and
- comply with the relevant maternity leave or pay curtailment requirements (or have returned to work before the end of statutory maternity leave).

# Appendix 2 - Eligibility for ShPP

## Pregnant person's eligibility for ShPP

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The pregnant person is eligible for ShPP if they:

- have at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remains in continuous employment with their employer until the week before any period of ShPP that they get;
- have normal weekly earnings for a period of eight weeks ending with the 15th week before the expected week of childbirth of at least the lower earnings limit for national insurance contribution purposes;
- have, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child; is absent from work and intends to care for the child during each week in which they receive ShPP; and
- is entitled to statutory maternity pay in respect of the child, but the maternity pay period has been reduced.

In addition, for the pregnant person to be eligible for ShPP, the partner must:

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have, at the date of the child's birth, the main responsibility, apart from the pregnant person, for the care of the child; and
- have average weekly earnings of at least the maternity allowance threshold for any 13 of those 66 weeks.

## Partner's eligibility for ShPP

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The partner is eligible for statutory ShPP if they:

- have at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remains in continuous employment with their employer until the week before any period of ShPP that he/she gets;
- have normal weekly earnings for eight weeks ending with the 15th week before the expected week of childbirth of at least the lower earnings limit for national insurance contribution purposes;
- have, at the date of the child's birth, the main responsibility, apart from the pregnant person, for the care of the child; and
- is absent from work and intends to care for the child during each week in which he/she receives statutory ShPP.

In addition, for the partner to be eligible, the pregnant person must:

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have average weekly earnings of at least the maternity allowance threshold for any 13 of those 66 weeks;
- have, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child; and

- be entitled to statutory maternity pay or maternity allowance in respect of the child, but the maternity pay period or maternity allowance period has been reduced.