

Shared Parental Leave and Pay Policy

This policy applies to babies born on or after 1st January 2020

SPL Notification Form Introduction

Landsec is committed to equality and diversity across the organisation and the purpose of this Shared Parental Leave Policy is to provide employees with the opportunity to integrate their career with their family responsibilities.

This policy applies to all employees of Landsec. It does not apply to agency workers or the self-employed. Landsec encourages all employees who are considering taking shared parental leave to discuss their plans with their line manager as early as possible.

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

This policy covers shared parental leave entitlement in birth cases. Please note, however, that shared parental leave also applies in adoption cases. Please get in touch with the HR department for further information about the right to take shared parental leave if you are, or may be, an adopting a child.

Frequently Used Terms

The definitions in this paragraph apply in this policy.

"Expected week of childbirth (EWC)"	the week, beginning on a Sunday, in which the doctor or midwife expects your child to be born.
"Parent"	one of two people who will share the main responsibility for the child's upbringing (and who may be either the mother, the father, or the mother's partner if not the father).
"Partner"	your spouse, civil partner or someone living with you in an enduring family relationship, but not your sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew.
"Qualifying week"	the fifteenth week before the EWC.

What is Shared Parental Leave?

Shared Parental Leave (“SPL”) gives you and your Partner more flexibility in sharing the care of your child in the first year after birth, than simply taking maternity and paternity leave. Assuming you are both eligible, you will be able to choose how to split the available leave between you and can decide to be off work at the same time or at different times. You may be able to take leave in more than one block.

Entitlement to Shared Parental Leave

You are entitled to SPL in relation to the birth of a child if:

- you are the child’s mother, and share the main responsibility for the care of the child with the child’s father or with your Partner;
- you are the child’s father and share the main responsibility for the care of the child with the child’s mother; or
- you are the mother’s Partner and share the main responsibility for the care of the child with the mother (where the child’s father does not share the main responsibility with the mother).

The following conditions must also be fulfilled:

- you must have at least 26 weeks’ continuous employment with us by the end of the Qualifying Week, and still be employed by us in the week before the leave is to be taken;
- the other Parent must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the EWC and had average weekly earnings of at least £30 during 13 of those weeks; and
- you and the other Parent must give the necessary statutory notices and declarations as summarised below, including notice to end any maternity leave, statutory maternity pay (“SMP”) or maternity allowance (“MA”) periods.

The total amount of SPL available is 52 weeks, less the weeks spent by the child’s mother on maternity leave (or the weeks in which the mother has been in receipt of SMP or MA if she is not entitled to maternity leave).

If you are the mother you cannot start SPL until after the compulsory maternity leave period, which lasts until two weeks after birth.

If you are the child’s father or the mother’s Partner, you should consider using your two weeks’ paternity leave before taking SPL. Further details are set out in our **Paternity Policy**. Once you start SPL you will lose any untaken paternity leave entitlement. SPL entitlement is additional to your paternity leave entitlement, however enhanced pay will only be received for a maximum of 26 weeks per person regardless of the combination of leave taken.

Opting into Shared Paternal Leave & Pay

If you want to take SPL, you will need to complete the following forms:

- **SPL Notification form** – complete this form at least 8 weeks before you first expect to take SPL.
- **SPL Booking form** – complete this form for each period of SPL. You should give the form to your line manager at least 8 weeks before the date you want any periods of SPL to start.

- **SPL Variation form** – once you have booked your periods of SPL, you may vary these dates by providing your line manager with this form at least 8 weeks before the original start date you requested and your new proposed SPL date.

You are able to submit a maximum of 3 booking forms and/or variation notices

If you want the SPL dates you specify in your notification form to be binding, you need to indicate this on the form. If you do this, you will not be required to complete a separate booking form for the relevant period of leave as your notification form will count as your booking form.

Ending Your Maternity Leave

If you are the child's mother and want to opt into the SPL scheme, you must give us at least eight weeks' written notice to end your maternity leave (a "**curtailment notice**") before you can take SPL. The notice must be provided to both your line manager and HR and must state the date your maternity leave will end. You can give the notice before or after you give birth, but you cannot end your maternity leave until at least two weeks after birth.

You must also give us, at the same time as the curtailment notice, a notice to opt into the SPL scheme (see **Opting in to SPL**) or a written declaration that the other Parent has given their employer an opt-in notice and that you have given the necessary declarations in that notice. This can be included in the SPL Notification form.

The other Parent may be eligible to take SPL from their employer before your maternity leave ends, provided you have given the curtailment notice.

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

- if you realise that neither you nor the other Parent are in fact eligible for SPL or statutory shared parental pay ("ShPP"), in which case you can revoke the curtailment notice in writing up to eight weeks after it was given;
- if you gave the curtailment notice before giving birth, you can revoke it in writing up to six weeks after birth; or
- if the other Parent has died.

Once you have revoked a curtailment notice you will be unable to opt back into the SPL scheme unless you gave the curtailment notice before giving birth and then revoked it in writing up to six weeks after birth.

Ending Your Partner's Shared Parental Leave or Pay

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

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

Evidence of Entitlement

We may ask you to provide the following evidence of you/the other Parent's entitlement to SPL:

- a copy of the birth certificate (or if you have not yet obtained a birth certificate, a signed declaration of the child's date and place of birth); and
- the name and address of the other Parent's employer and an appropriate contact's email address and direct telephone number (or a declaration that they have no employer).

Booking Your SPL Dates

Having opted into SPL, you must book your leave by giving us a **SPL Booking Form** (or, alternatively, as above, you can let us know on your **SPL Notification Form** that you wish for the dates given on it to be binding, in which case this will count as one of your three **SPL Booking Forms**). This must be given to both your line manager and HR at the same time as the SPL Notification form or later, provided it is at least eight weeks before the start of SPL.

The **SPL Booking Form** can either give the dates you want to take leave or, if the child has not been born yet, it can state the number of days after birth that you want the leave to start and end. This may be particularly useful if you intend to take paternity leave starting on the date of birth and wish to take SPL straight afterwards.

Leave must be taken in blocks of at least one week.

If your period of leave notice gives a single continuous block of SPL, you will be entitled to take the leave set out in the notice.

You can give up to three **SPL Booking Forms** (which includes your **SPL Notification Form** if, as above, you inform us that you wish for the dates given on it to be binding, in which case it will count as one of your three **SPL Booking Forms**). This may enable you to take up to three separate blocks of SPL however you will only be eligible for Landsec's enhanced shared parental pay if you only take one block of SPL.

Procedure for Requesting Split Periods of SPL

If you want to request split periods of SPL, you must set out the requested pattern of leave in your SPL Notification and/or Booking forms. We will either agree to the request or start a two-week discussion period. At the end of that period, we will confirm any agreed arrangements in writing. If we have not reached agreement, you will be entitled to take the full amount of requested SPL as one continuous block, starting on the start date given in your notice (for example, if you requested three separate periods of four weeks each with periods of work in between, they will be combined into one 12-week period of leave). Alternatively, you may:

1. Choose a new start date (which must be at least eight weeks after your original period of leave notice was given), and tell us within five days of the end of the two-week discussion period; or
2. Withdraw your Booking Form or (if you wanted the dates given on your SPL Notification to be binding) your SPL Notification within two days of the end of the two-week discussion period (in which case the notice will not be counted as one of the three permitted, and you may submit a new one if you choose).

Changing the Dates or Cancelling Your SPL

You can cancel or change the start date of a block of leave by notifying us in writing at least eight weeks before the start date in the Booking Form (or, if you wanted the dates given on your SPL Notification to be binding, at least eight weeks before the start date in your SPL Notification Form).

You can cancel or change the end date of a block of leave by notifying us in writing at least eight weeks before the end date in the Booking Form (or, if you wanted the dates given on your SPL Notification Form to be binding, at least eight weeks before the end date in your SPL Notification Form) or the new end date, whichever is earlier.

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

You can request that a continuous period of leave be split into two or more discontinuous periods with periods of work in between. You should do so in writing at least eight weeks before the start date of the first period. This leave would then be subject to relevant conditions for discontinuous SPL (I.e. not eligible for enhanced shared parental pay beyond the first block).

A notice to change or cancel a period of leave will count as one of your three SPL Booking Forms unless:

- the variation/cancellation is a result of your child being born earlier or later than the EWC;
- the variation/cancellation is at our request; or
- we agree otherwise.

Premature Birth

Where the child is born early (before the beginning of the EWC), you may be able to start SPL in the eight weeks following birth even though you cannot give eight weeks' notice. The following rules apply:

- If you have given an SPL Booking Form (or an SPL Notification Form, if you wanted the dates given on your SPL Notification Form to be binding) to start SPL on a set date in the eight weeks following the EWC, but your child is born early, you can move the SPL start date forward by the same number of days, provided you notify us in writing of the change as soon as you can. (If your SPL Notification Form/Booking Form already contained a start date which was a set number of days after birth, rather than a set date, then no notice of change is necessary.)
- If your child is born more than eight weeks early and you want to take SPL in the eight weeks following birth, please submit your SPL Notification Form and booking Form as soon as you can (note, a separate Booking Form is not required if you wanted the dates given on your SPL Notification Form to be binding).

Shared Parental Pay

You may be able to claim Statutory Shared Parental Pay ("**ShPP**") of up to 39 weeks (less any weeks of SMP or MA claimed by you or your Partner) if you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. ShPP is paid by employers at a rate set by the government each year.

You should tell us in your SPL Notification Form/SPL Booking Form whether you intend to claim ShPP during your leave (and if applicable, for what period). If it is not in your SPL Notification Form/SPL Booking Form you can tell us in writing, at least eight weeks before you want ShPP to start. Any period of ShPP paid to you or your Partner in respect of the same birth will count towards your ShPP entitlement.

If you and your Partner are both employed by Landsec, the ShPP entitlement above will be available for you to share how you wish.

The Company shall be entitled to deduct from your salary or any other payments due to you any overpayments of shared parental pay and any repayments required.

Enhanced Pay

You will qualify for enhanced shared parental pay if you satisfy the following conditions:

- you have been continuously employed for at least 26 weeks in the period ending with the Qualifying Week and comply with the notification requirements set out above;
- you take SPL in a single continuous block only and not in discontinuous blocks. If you take SPL in discontinuous blocks you will not be eligible for enhanced shared parental pay

Landsec's enhanced shared parental pay consists of a maximum 26 weeks full pay for SPL regardless of when the SPL is taken (but provided, as above, it is taken as one continuous block)

Any further time spent on SPL shall be paid at statutory rates only (if you choose to take your ShPP) or unpaid (if you choose not to take ShPP).

Please also note the following:

- Enhanced pay is based on "full pay." "Full pay" means your normal basic salary at the start of your SPL (subject to the section below on pay reviews). It does not include any additional allowances or benefits.
- You are entitled to a maximum of 26 weeks enhanced full basic pay through any combination of leave (maternity, paternity or shared parental leave) in respect of any one birth (regardless of whether this the birth of more than one child). The 26 weeks enhanced shared parental leave pay will therefore be reduced by any enhanced maternity or paternity pay taken by you in respect of the same birth. Similar provisions apply in adoption cases (please speak to HR for further information).
- In order to take enhanced shared parental, pay you must also be eligible for and opt to be paid ShPP in respect of the same period. The 26 weeks' enhanced pay will be inclusive of your ShPP entitlement for that period.
- Deductions will be made for income tax and national insurance as appropriate.
- Enhanced shared parental pay shall only be paid whilst you remain employed.
- No payment of enhanced pay shall at any time exceed the employee's normal basic salary.

Terms & Conditions During SPL

All the terms and conditions of your employment remain in force during SPL except for the terms relating to pay and as such all benefits (including benefits in kind), except basic salary and meal allowance (where applicable), will be maintained during this period. You remain bound by the obligations contained in your contract of employment.

You will be required to provide the HR team with your instructions in relation to some of your benefits and a form to enable you to do this will be sent to you before the commencement of your shared parental leave.

Company Car & Car Allowance

Subject to the terms and conditions of the Company Car Scheme, you may retain your company car throughout the SPL. Cash allowance in lieu of company car continues on the same basis.

Holiday Entitlement

During your SPL, you will continue to accrue your contractual holiday entitlement.

The aim is that where possible any outstanding leave entitlement) which is outstanding at the end of SPL should be taken in the leave year to which it applies; either before you start SPL or if this is not possible, immediately after SPL and before you return to work.

Any accrued holiday but untaken holiday entitlement (including bank holidays) should be taken immediately after the SPL ends.

Any holiday entitlement for the year that cannot reasonably be taken before starting your SPL can be carried over to the next holiday year, however where possible you should try to limit carry over to one week's holiday or less and take your carried over holiday immediately after your SPL ends.

No payment in lieu will be made for any untaken annual leave.

However, if you decide not to return to work after SPL, you will be paid for all holiday entitlement accrued during your SPL period.

All holiday dates are subject to approval by your line manager.

Pension

Your membership of the company's pension scheme will continue during the period of SPL.

Employee contributions – your employee contributions will continue during the period you are in receipt of enhanced SPP at the same percentage based on your actual earnings. As the scheme is a salary sacrifice scheme, for the period you are paid ShPP only (i.e. no enhanced pay or car allowance, if applicable) or no pay, Landsec will continue to pay your employee contributions, based on your notional pay (i.e. the pensionable salary you would be earning before any reductions if you were not on SPL on reduced pay).

Company contributions - will continue to be based on your "notional" salary (i.e. the pensionable salary you would be earning before any reductions if you were not on SPL on reduced pay)) for the duration of your SPL, for a period of up to 52 weeks.

When you return from SPL, we will automatically revert both contributions back to what they were pre-SPL. If you do not return to work, you will be advised of your pension benefits options by HR.

Company Car & Car Allowance

Subject to the terms and conditions of the Company Car Scheme, you may retain your company car throughout the SPL. Cash allowance in lieu of company car continues on the same basis.

Life Assurance

Your life cover will continue throughout the duration of your SPL.

Permanent Health Insurance

Your eligibility to apply for Permanent Health Insurance under any scheme operated by Landsec shall continue during your SPL, in accordance with the relevant requirements and rules in place from time to time.

Private Medical Insurance Scheme

Membership in the company's private medical insurance scheme will continue during your SPL. While you are on SPL, Landsec will continue to pay the single premium for you, and, if applicable, your spouse/dependent children. This will continue to be a taxable benefit and the tax will be deducted from your salary while you are on paid SPL.

If you are paying additional cover for a spouse and/or dependant, monthly deductions will continue for the period you are on paid SPL, where there are sufficient funds to do so.

While you are on unpaid SPL, or where there are insufficient funds to cover the tax or additional spouse/dependant cover, Landsec will arrange for the single premium and additional premiums for spouse/dependant cover to be paid for the duration of unpaid leave. When you return to work the premium deductions and/or tax payments will revert to what they were pre-SPL.

The Company's private medical insurance scheme does not cover ante or postnatal care. However, if you become ill as a result of your pregnancy or for any other reason during this period, or there are complications requiring special medical treatment, you may be entitled to benefit under the scheme. The facts of each individual case will need to be reviewed to assess eligibility under the rules of the relevant scheme and any requirements of the relevant insurer/benefit provide.

Childcare Vouchers

As both the childcare voucher and cycle to work schemes are paid via a salary sacrifice arrangement, for the period you are paid ShPP only (i.e. no enhanced pay or car allowance, if applicable), or are on nil pay, salary sacrifice under these schemes will be suspended during this period. Instead, Landsec will cover the cost of the childcare vouchers to the provider on your behalf. Deductions to cover the cost of the vouchers, will continue to be paid by you whilst you are paid sufficient enhanced shared parental leave pay. We will only be liable up to the amount of vouchers that you were taking before going on shared parental leave or the maximum tax-free amount, whichever is lower. You may not increase the amount of childcare vouchers whilst on shared parental leave.

When you return to work deductions from your salary will be re-instated automatically. In relation to the cycle to work scheme, you can choose either to extend the term by the number of months suspended or to 'catch up' by greater deductions from your pay on your return.

Should you not return to work from SPL, the childcare vouchers will cease. In the case of the cycle to work scheme, any remaining balance for the bike loan will be taken from your final pay from Landsec.

Give as You Earn (GAYE)

Deductions from salary will continue while you are on paid SPL, provided there are sufficient funds to do so. For the period of unpaid leave, deductions for GAYE will be suspended, and they will automatically be re-instated upon return from SPL. You can continue to manage your deductions for GAYE via workday or email hr@landsec.freshservice.com

Gym Membership and Season Ticket Loans

If you participate in either the gym membership scheme or in receipt of a season ticket loan, deductions from salary will continue while you are on paid SPL, provided there are sufficient funds to do so. While you are on unpaid SPL, or there are insufficient funds, deductions will be suspended for the duration of unpaid SPL. Upon returning from SPL, deductions will re-commence and continue until the loan is re-paid.

Should you not return to work from SPL, any remaining balance will be taken from your final pay from Landsec.

Health Assessments

You will continue to be eligible for health assessments while on SPL.

Annual Bonus & Pay Review

Base salaries are reviewed annually in June and while on SPL your base salary will be reviewed in line with all other employees. Any salary increase will take effect with immediate effect and will be taken into account in the calculation of any ShPP entitlement for the duration of the leave or any enhanced shared parental pay payable from the date the salary increase takes effect. Any salary increase will also apply upon your return from SPL.

You will remain eligible to participate in any applicable annual discretionary bonus plan, with any bonus which the Company may determine in its absolute discretion to pay being based on the period you worked during the bonus year (1 April to 31 March).

Sharesave

While you are on paid SPL, and there are available funds, your savings into the Sharesave plan will continue. While you are on unpaid SPL (or reduced pay where there are insufficient funds) you can elect to take a "payment holiday" from the plan for a period of up to 12 months. Please contact the Payroll team if you wish to initiate a payment holiday, providing sufficient notice before you go on to reduced pay.

If you take a payment holiday, the maturity date for your plan will be extended, however you will still have to make the full quota of 36 or 60 payments before the plan can mature for you to exercise your options. Once you return from SPL, savings will re-start and be extended for the period of missed payments. Should you not return from SPL your option to exercise will lapse.

Alternatively, you can arrange to pay Equiniti directly by standing order, so that your savings are up to date, and your plan can mature on the normal date. To do this please contact Equiniti on 0371 384 2040. Or, if you wish you can cease savings into the plan by contacting Equiniti on the above number or via your portal access and your savings to date will be returned to you. Please ensure that you also inform Payroll that you wish to cease your savings. Once you cease savings into the plan your option to exercise will lapse.

Continuity of Service

If you return after SPL (either to your old job or a suitable alternative) there shall be no break in your continuity of service for the purpose of statutory and contractual rights (such as notice entitlement and for service-related benefits). If you reach a service-related benefit during your period of SPL your entitlement to that benefit will commence at that time and continue on your return from SPL.

Keeping in Touch

We may make reasonable contact with you from time to time during your SPL although we will keep this to a pre-agreed level that you are comfortable with. This may include contacting you to discuss arrangements for your return to work.

You may ask or be asked to work (including attending training) on up to 20 "keeping-in-touch" days (SPLIT days) during your SPL. This is in addition to any KIT days that you may have taken during maternity leave. SPLIT days are not compulsory and must be discussed and agreed with your line manager.

You will be paid at your normal basic rate of pay for time spent working on a SPLIT day and this will be inclusive of any shared parental pay entitlement.

Returning to work

If you want to end a period of SPL early, you must give us eight weeks' written notice of the new return date. If you have already given us three periods of leave notices you will not be able to end your SPL early without our agreement.

If you want to extend your SPL, assuming you still have unused SPL entitlement remaining, you must give us a written period of leave notice at least eight weeks before the date you were due to return to work. If you have already given us three periods of leave notices you will not be able to extend your SPL without our agreement. You may instead be able to request annual leave or ordinary parental leave (see our **Parental Leave Policy**), subject to the needs of the business.

You are normally entitled to return to work in the same position as you held before commencing leave, and on the same terms of employment. However, if it is not reasonably practicable for us to allow you to return into the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable, if one is available, in the following circumstances:

- I. if your SPL and any maternity or paternity leave you have taken adds up to more than 26 weeks in total (whether or not taken consecutively); or
- II. if you took SPL consecutively with more than four weeks of ordinary parental leave.

If you would like to change your hours or other working arrangements on return from SPL, you should discuss this with your line manager and make a request under our Flexible Working Policy.