

# THE MAMAS And THE PAPAS

*Jacqui Burke helping your business  
evolve to accommodate* **THE LATEST  
EMPLOYMENT LAW CHANGES**



The past couple of years have seen a whole raft of employment law changes which have already impacted heavily on small businesses, and which continue to do so - pensions auto-enrolment, real time reporting and the right to request flexible working being just a few. But these almost pale into insignificance when compared with the complexities to be faced by small businesses as a result of the introduction of Shared Parental Leave for the parents of babies born after April 2015.

The intention behind the legislation is to allow fathers to play a greater role in raising their children, to help mothers return to work when they want to without losing leave entitlement, or to enable mothers to return to work temporarily for a busy period. The rules also apply to same sex couples and to couples adopting or involved

in surrogacy.

Shared Parental Leave will allow parents to share statutory leave and pay following the birth of a child by allowing mothers to choose to end their maternity leave at any point after the initial two week compulsory maternity leave period. The parents can then choose how to split the remaining 50 weeks of leave between them, taking leave either separately or at the same time.

The most challenging aspect of the legislation for small businesses is that parents may choose to take leave either as one continuous period or in discontinuous periods. This means that the mother can return to work for a while after the first two weeks, and then take further leave at a later date or dates. Similarly, the father can take Shared Parental Leave at any time within that 50 week period.

## IN ORDER TO GET READY FOR THE INTRODUCTION OF SHARED PARENTAL LEAVE EMPLOYERS SHOULD:

REVIEW THE ELIGIBILITY CRITERIA AND  
UPDATE POLICIES AND PROCEDURES TO  
REFLECT SHARED PARENTAL LEAVE

Consider how to deal with requests  
for continuous blocks of leave  
(these requests cannot be refused);  
for example, arrangements made  
for maternity cover

*Consider how to respond to requests for  
discontinuous patterns of leave (these can  
be rejected on certain grounds but need to  
be managed objectively and with a view  
to avoiding any form of discrimination).*

### MORE INFORMATION

<http://www.acas.org.uk/index.aspx?articleid=4911>  
<https://www.gov.uk/shared-parental-leave-and-pay-employer-guide>  
visit [www.flourishingpeople.co.uk](http://www.flourishingpeople.co.uk)