



# SHARED PARENTAL LEAVE POLICY

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## Table of Contents

1.	Terminology and Abbreviations .....	4
2.	Introduction .....	4
3.	Shared Parental Leave Provisions .....	4
	Eligibility Criteria .....	5
	Fixed term contracts.....	5
4.	Procedure .....	5
5.	Timing and Duration of Shared Parental Leave.....	6
	Premature or sick/unwell newborn .....	6
	Confirmation of SPL and ShPP .....	6
	Varying a period of leave.....	7
6.	Notices to SCDC .....	7
	Birth parent or main adopter employed by SCDC.....	7
	Partner employed by SCDC .....	8
	Notice of Entitlement and Intention to take SPL and ShPP.....	8
	Notice of curtailment of maternity/adoption leave and payments .....	8
	Period of Leave Notice .....	8
7.	Curtailment of Maternity/Adoption Leave.....	8
	Revoking notice to curtail maternity/adoption leave.....	9
8.	During Shared Parental Leave .....	9
	Contact .....	9
	Working during shared parental leave – in touch days (SPLIT days).....	9
9.	Returning from Shared Parental Leave .....	10
	Returning to work part-time or on a job-share basis .....	10
	Workplace changes during absence .....	10
	Sickness on return from shared parental leave .....	11
	Continuous service.....	11
	Annual Leave Entitlement .....	11
10.	Payments .....	11
	Deductions from statutory shared parental leave pay (ShPP) .....	12
	Pay rises .....	12
	Pension payments.....	12
	Deductions.....	12
	Trade Union Subscriptions .....	12
	Childcare Vouchers.....	12
11.	Evidence Requirement.....	13
12.	Related Issues .....	13
	Related Policies .....	13
	Fertility treatment .....	13

Antenatal appointments .....	13
13. Forms.....	14
Curtailment Notice.....	14
Revocation of Curtailment Notice .....	14
Notice of Entitlement and Intention to take SPL .....	14
Period of Leave Notice.....	14
Period of Leave Variation Notice .....	14
SPLIT Days Claim Form.....	14
Appendix A – Flow chart for process if employee is pregnant/main adopter.....	15
Appendix B – Flow chart for process if employee’s partner is pregnant/main adopter .....	16
Appendix C – Maternity/Adoption leave curtailment notice .....	17
Appendix D – Revocation of curtailment notice.....	17
Appendix E – Notice of entitlement and intention to take SPL.....	19
Appendix F – Period of leave notice.....	21
Appendix G – Variation of period of leave notice.....	22
Appendix H – Shared parental leave in touch (SPLIT) days claim form .....	23

## 1. Terminology and Abbreviations

**EWC** - Expected week of childbirth – the week from Sunday to Saturday that the date given on the MAT B1 form falls in

**MW** – Matching week when a child is matched with adopters. A certificate is issued giving expected date of placement

**MAT B1** – A certificate from a registered medical practitioner or midwife giving the EWC

**MSL** – Maternity Support Leave - a period of 5 days with pay for the nominated carer of an expectant individual at or around the time of the birth. The same person cannot claim PL as well. Please refer to the Maternity/Adoption Support Leave policy.

**PL** – Paternity Leave – one period of leave of either one week or two consecutive weeks to help look after a new born/adopted child when SPP will be paid. Cannot claim MSL as well. Please refer to Paternity Leave Policy for more information

**SPP** – Statutory paternity pay

**SPL** – Shared Parental Leave

**ShPP** – Shared Parental Pay

**Week's Pay** - The term a “week's pay” is the amount payable by the authority to you under the current contract of employment for working your normal hours in a week. Where there are no normal working hours, a week's pay is the average remuneration in the period of 12 weeks preceding the date on which the last complete week ended, excluding any week in which no remuneration was earned

**Birth Parent** – The parent who is expecting to give birth or has given birth

**Main Adopter** – Where two people are jointly adopting a child, one will be the nominated main adopter

## 2. Introduction

South Cambridgeshire District Council (SCDC) is committed to equality of opportunity in employment for all its staff and to developing work practices that support work-life balance. This document is a guide to the right to take Shared Parental Leave (SPL) to care for a child due to be born or placed for adoption on or after 5<sup>th</sup> April 2015.

SCDC reserves the right to make amendments to this policy to reflect the changes in the statutory provision of relevant legislation.

## 3. Shared Parental Leave Provisions

Shared parental leave is designed to enable working parents to share leave and to take time off in a more flexible way. It will allow both parents to be at home together if this is what they choose.

SPL gives employees with caring responsibilities for babies or newly adopted children the opportunity to share up to 50 weeks' leave. Shared parental leave may be taken in a single continuous block, or may be taken in smaller blocks of leave (a minimum of a week at a time), interspersed with time at work (in contrast to maternity leave which has to be taken in a single continuous block).

Shared Parental Leave and Pay cannot begin before the birth, or placement for adoption, and all leave must be taken within one year of the birth or the date that the child was placed with the family (i.e. the day before the child's first birthday or the anniversary of the placement of an adopted child).

### **Eligibility Criteria**

For a parent to be able to take SPL they must satisfy eligibility criteria. The right of one parent to take leave is not only dependent on them satisfying their own eligibility criteria, but is also dependent on their partner satisfying certain conditions.

To be entitled to SPL one parent must:

- Be the birth parent, or main adopter of the child, or the partner of the parent or the main adopter.
- Have (or share with the other parent) the main responsibility for the care of the child
- Have at least 26 week's continuous service at the 15<sup>th</sup> week before the expected week of birth, or at the matching week
- Still be in continuous employment until the week before any SPL is taken

In addition, the other parent must meet the '**employment and earnings test**' for you to qualify for shared parental leave.

To meet this test, the other parent must:

- Have been employed or been a self-employed earner in Great Britain for a total of 26 weeks (not necessarily continuously) in the period of 66 weeks leading up to the week in which the child is due (or matched for adoption)
- Have earned at least £390 in total across any 13 of those weeks (not necessarily continuously).

If the other parent meets the employment and earnings test but does not qualify for SPL, you may be entitled to the whole SPL period – the main advantage being the ability to request leave in different blocks and return to work in between these blocks.

### **Fixed term contracts**

If you are employed on a fixed-term contract you will be entitled to shared parental leave in the same way as permanent staff, if you have accrued the necessary employment service.

Where your contract terminates during shared parental leave, this will end the leave as well as your employment, however any payments may continue if you qualify for these.

## **4. Procedure**

- Employees and managers should, where possible, have an informal discussion prior to employees giving formal 'Notice of Entitlement and Intention to take SPL', so that statutory entitlements (and contractual, if applicable) to other types of leave and pay can be discussed, and to ensure that plans for any discontinuous periods of leave can be considered as early as possible.

- Following this meeting the employee should submit their Notice of Entitlement and Intention to take SPL Form to their manager and HR/Payroll. This counts as the first Period of Leave Notice (you can submit up to three Period of Leave Notices), and must be submitted at least eight weeks before the start date of the first period of SPL. If the employee is pregnant they should also follow the process of the maternity policy from this point forwards.
- If it is the pregnant employee/main adopter who is employed by SCDC, their partner must (where relevant) submit any notifications to take shared parental leave to the partner's own employer, which may have its own shared parental leave policy in place. Similarly, if it is the partner who is employed by SCDC, the pregnant parent/main adopter must (where relevant) submit any notifications to take shared parental leave to their own employer.
- The HR team may then arrange an informal discussion with the employee and their line manager to talk about their intentions and how they currently expect to use their SPL entitlement. At this meeting the employee can ask any questions they have about the policy, and any associated policies.
- If the request is for discontinuous leave then the line manager/head of service may wish to discuss a modified arrangement which would be agreeable to both the employee and the service needs.

## 5. Timing and Duration of Shared Parental Leave

Shared parental leave may be taken in a single continuous block or may be taken in smaller blocks of leave (a minimum of a week at a time) and within a one year period beginning with the date of the baby's birth or the child's placement for adoption. It can be interspersed with time at work (in contrast to maternity leave which has to be taken in a single continuous block).

After the birth of a child, it is compulsory for the birth parent to take two week's maternity leave. Likewise, after the placement of a child it is compulsory for the main adopter to take two week's adoption leave. This means in the majority of cases working parents will have the opportunity to split 50 weeks of SPL.

If the birth parent/main adopter takes 51 weeks or more of the 52 weeks of maternity or adoption leave that is available to them, then no shared parental leave can be created. It is only the untaken balance of the maternity or adoption leave that can be taken as shared parental leave.

Where a birth parent or main adopter takes 38 weeks or more of statutory maternity or adoption pay or maternity allowance, then no statutory shared parental pay can be created.

### **Premature or sick/unwell newborn**

If your baby is born prematurely (at any point before the 37<sup>th</sup> week), or is unwell when born, you may be entitled to additional pay and leave. Please see the Premature and Neo-Natal Policy for more details.

### **Confirmation of SPL and ShPP**

If a continuous period of leave is requested in each 'Period of Leave Notice', you will be entitled to take that period of leave and this will be confirmed in writing.

If more than one period of leave is requested in a 'Period of Leave Notice', your line manager will seek to accommodate the request, but this cannot be guaranteed. Your manager will discuss the request with you to determine if it can be accommodated. If it cannot be accommodated, there may

be an alternative pattern of leave which can be agreed, or the request may be refused. The manager's decision will be confirmed in writing.

If no agreement is reached within two weeks of the 'Period of Leave Notice' being submitted, you can:

- Take the discontinuous periods of leave requested in one continuous block, beginning on the original start date
- Take the continuous block starting on a new date, as long as the new date is later than the original start date, and you notify the council of the new date within five days of the two week period referred to above
- Withdraw the request at any time up to the 15<sup>th</sup> day after it was originally made. If the request is withdrawn in these circumstances it will not count as one of your three requests.

### **Varying a period of leave**

You are entitled to submit a request to vary a period of leave in the following ways:

- Vary the start date as long as the variation is requested at least eight weeks before the original start date or the new start date, whichever is the earliest
- Vary or cancel the amount of leave requested at least eight weeks before the original start date
- Request that a single period of leave becomes a discontinuous period of leave, or vice versa

A variation will count as one of your three 'period of leave notices', unless:

- It is made as a result of a child being born earlier or later than the expected week of childbirth
- SCDC has requested a variation
- SCDC has agreed to accept more than three Period of Leave Notices

The usual eight-week notice requirement may be modified if your child is born early and the new start date for the period of leave is the same length of time following the birth as in the original notice. In this case notice to vary the start date should be given as soon as reasonably practicable after the birth of the child.

## **6. Notices to SCDC**

Requests for SPL which are not made in accordance with the statutory notification requirements will be given reasonable consideration, but may not be granted.

If you are planning to take SPL, you must give SCDC a number of notices, as set out below:

### **Birth parent or main adopter employed by SCDC**

If you are the birth parent or main adopter, you must let SCDC know that you intend to take leave by providing a 'Notice of Entitlement and Intention to take SPL'. If you have not returned to work, you must also provide your 'Curtailed Notice' (see below) at this time. Finally, either at the same time or at a subsequent point you must provide a 'Period of Leave Notice', which will inform SCDC when you want to take the leave.

### **Partner employed by SCDC**

If you are the partner of the birth parent/main adopter and are intending to take leave, you must give a 'Notice of Entitlement and Intention to take SPL' and, either at the same time or subsequently, a 'Period of Leave Notice'.

The scheme works on the basis of these notices, which contain declarations from both parents about the amount of leave they are entitled to and the consent of the other parent to the taking of leave. There is no need for SCDC to contact the other parent's employer to verify details, although a parent is required to provide the other parent's employer's details if SCDC requests them.

Notices can be provided in person, by post and, if your manager agrees, by email. Notices given in person or by email will be taken to have been given on the day they were transmitted or delivered. A notice sent by post is taken to have been given on the day it was posted, provided it is sent in a properly addressed envelope with the appropriate postage.

### **Notice of Entitlement and Intention to take SPL and ShPP**

You must notify your line manager in writing at least eight weeks before the start date of the first period of SPL. This is a 'one off' notification, and counts as one of your three period of leave notice forms.

### **Notice of curtailment of maternity/adoption leave and payments**

If you are the birth parent/main adopter, you must give SCDC a 'Curtailment Notice' giving 8 weeks' notice of the date on which maternity/adoption leave and pay is to end (or the date on which maternity/adoption pay is to end if you are not entitled to maternity/adoption leave). This should be done at the same time when you submit your 'Notice of Entitlement and Intention to take SPL'. If you are only entitled to maternity allowance (and not maternity leave) your 'Curtailment Notice' must be submitted to Jobcentre Plus. Your maternity allowance cannot be reinstated, so effectively you will be giving consent for your partner to take the whole of ShPP entitlement available.

### **Period of Leave Notice**

In practice, at least the first period of SPL will be identified within the initial notice of entitlement and intention to take SPL. You are entitled to submit a maximum of a further two Period of Leave Notices. Any requests exceeding the statutory maximum will be given reasonable consideration, but may not be granted. Each notice must be given at least eight weeks before the start of a period of leave, stating the dates of the leave and the dates on which ShPP will be claimed, if applicable.

If the first Period of Leave Notice is given prior to the birth of the child, the notice may express the start date in relation to the date of birth, for example '*starting two weeks after the baby is born for a period of four weeks*'.

Please note that, while a request for a block of SPL can be submitted before the birth/placement of your child, the leave itself cannot commence until two weeks after the child's birth/placement.

## **7. Curtailment of Maternity/Adoption Leave**

If you are an eligible birth parent/main adopter and want to take shared parental leave or enable your eligible partner to take shared parental leave, you will need to curtail (shorten) your maternity/adoption leave. You can do it in one of two ways:

- 1) You can give notice to SCDC to end your maternity/adoption leave on a specified date in the future. This will enable your partner to start taking shared parental leave from the birth/placement of the child.

- 2) You can return to work before the end of your maternity/adoption leave period thus bringing your maternity/adoption leave to an end.

**Please note** – whilst returning to work automatically ends your entitlement to maternity or adoption leave, it does not end your maternity or adoption pay period or maternity allowance period. The statutory maternity/adoption pay period (or maternity allowance if applicable) will continue to run “in the background” for 39 weeks from when it was started (it will not be added to your regular salary). If you want to opt into the statutory shared parental pay after returning to work, you must give SCDC a notice to end your maternity pay period at least 9 weeks before the expiry of the 39 week period. If you claim maternity allowance from Jobcentre Plus, you must tell Jobcentre Plus that your maternity allowance period is to end. The maternity pay or allowance period will end on the last day of the pay week in which the notice is given.

### **Revoking notice to curtail maternity/adoption leave**

If you are the birth parent/main adopter and have already given notice to curtail your maternity or adoption leave, you may withdraw the notice only if you have not returned to work, the curtailment date has not passed, and one of the following circumstances apply:

- Where it is discovered in the 8 weeks following the notice that neither you nor your partner is entitled to shared parental leave or pay
- In the event of the death of the partner
- If the notice was given before the birth/placement, and you revoke your maternity/adoption leave curtailment notice in the six weeks following the birth

If you revoke your notice in the first two circumstances, there is no further opportunity to opt into shared parental leave at a later date for the same child.

In the last of the above circumstances, you will be able to opt into shared parental leave at a later date with the same partner – either by returning to work and then giving notice of entitlement to shared parental leave to SCDC, or by giving another notice to curtail your maternity/adoption leave.

If you revoke your notice to end your maternity or adoption leave, you will remain on maternity or adoption leave. Your entitlement to maternity or adoption leave will be restored to a total of 52 weeks, even if your partner has taken shared parental leave prior to you revoking your leave curtailment notice.

If you give notice to curtail your maternity leave before the birth and then change your mind within 6 weeks of the birth, your partner’s entitlement to shared parental leave stops.

## **8. During Shared Parental Leave**

### **Contact**

Your manager should maintain contact with you during your shared parental leave, keeping you updated about issues related to your service (such as significant workplace developments and organisational changes). The HR team will send you current job opportunities. If you do not think this is happening, let your manager or the HR team know as early as possible.

### **Working during shared parental leave – in touch days (SPLIT days)**

You may carry out up to 20 days' work for SCDC without bringing your shared parental leave to an end. These days, which are known as ‘shared parental leave in touch (SPLIT) days, are in addition to the 10 keeping-in-touch days available to employees during maternity leave. The purpose of

SPLIT days is to allow you to stay in touch with the workplace during your absence. SPLIT days do not extend the total duration of the shared parental leave period.

Any work carried out on a day constitutes one day's work. For example, if you attend a one-hour training course, this will count as one of the 20 days available. Work includes any work done under the contract of employment and may include training or any activity aimed at keeping in touch.

A payment for the number of hours worked on each SPLIT day will be calculated using your current hourly rate. SCDC will offset the ShPP for the day/s worked against any pay due. The cost will come from your service area budget.

Reasonable contact between you and your line manager during a period of shared parental leave does not count as work.

Employees cannot insist on being able to carry out work during shared parental leave. Similarly, SCDC cannot require you to carry out work during shared parental leave.

## **9. Returning from Shared Parental Leave**

If you return to work immediately after a period of SPL, which (together with any statutory maternity/adoption leave you may have taken to care for the same child) was 26 weeks or less, you will return to work in the same job that you left.

If you return to work from a period of SPL, which (together with any maternity/adoption leave you may have taken to care for the same child) is more than 26 weeks, you will normally be entitled to return to the job in which you were employed before your absence. If that is not reasonably practicable for SCDC, then you will return to another job which is suitable and appropriate in the circumstances.

### **Returning to work part-time or on a job-share basis**

If you worked full-time before shared parental leave but wish to return on a job-share or a part-time basis, you should discuss this with your manager.

You have a statutory right to request flexible working to enable you to care for a child, resulting in a permanent change to your contract, if granted. Details of how to request a change to your working arrangements can be found in the Flexible Working Policy. Contact the HR team for further advice on this.

### **Workplace changes during absence**

If it is not possible by reason of a restructure in your service area for you to return to your substantive post, you will be entitled to be offered a suitable alternative vacancy where one exists. The alternative employment should be suitable and appropriate to you. Your terms and conditions of employment must not be substantially less favourable to you than if you had been able to return to your substantive post.

You will be consulted and given the same opportunities as other work colleagues, in the same way as if you were at work, in line with the Council's Organisational Change policy.

If you are the birth parent or main adopter and your post is made redundant during your shared parental leave you will not be required to pay back OMP/OAP, if you would have otherwise received this, and you will retain entitlement to SMP/SAP for the full remaining period, notwithstanding the termination of your employment. Similarly, if the redundancy occurs before you commence your

maternity/adoption leave but after you have qualified for SMP/SAP, you will retain the right to SMP/SAP as well as OMP/OAP.

If you are not the birth parent/main adopter and your post is made redundant during your shared parental leave you will be entitled to any shared parental leave period that has already been agreed, and any related ShPP.

### **Sickness on return from shared parental leave**

If at the end of your shared parental leave you are unable to return to work because of illness, you will be deemed to have returned to work on the scheduled date of return and be classed as absent because of sickness beyond that date. The Council's Attendance Management Policy will then be followed.

### **Continuous service**

Continuous service is unbroken during a block of Shared Parental Leave. All blocks of Shared Parental Leave (both paid and unpaid) count towards the calculation of those benefits which accrue with length of service, i.e. sickness benefits and redundancy pay.

### **Annual Leave Entitlement**

Holiday entitlement will continue to accrue whilst you are on shared parental leave, and you will also accrue any bank holidays, and the SCDC concessionary day (where this is given), that you miss during your leave. Part time staff will have a pro-rated allocation of bank holiday leave. The HR or Payroll team will advise on days accrued.

Any arrangements for taking this leave must be agreed and authorised by your line manager in the usual way even if you intend to take the accrued annual leave immediately after your shared parental leave finishes.

It is recommended that you consider taking any outstanding holiday for the current year, depending on your shared parental leave start and return date, prior to commencing shared parental leave. You can take your accrued leave as you return to work. Accrued annual leave should be taken within three months of your return date.

The HR team can discuss this option further with you in light of your individual circumstances.

On returning from shared parental leave, full-time employees who have agreed to return on a part-time or job-share basis will be entitled to the full time holiday entitlement until their first day on reduced hours.

## **10. Payments**

In order to qualify for statutory shared parental pay, you must:

- Meet the qualifying requirement for shared parental leave and have a partner who meets the employment and earnings test
- Have earned not less than the lower earnings limit (currently £118 per week) in the relevant period. This is usually the 8 weeks leading up to the qualifying week (as with shared parental leave, the qualifying week is the end of the 15<sup>th</sup> week before the week in which the baby is due to be born, or the week that the adopter is notified of being matched with the child)

A maximum of 39 weeks' shared parental pay is payable, and it will be reduced by the number of weeks' statutory maternity/adoption leave or maternity allowance already taken by the birth parent or main adopter.

Shared parental pay is a standard weekly rate (as set out on the HMRC website) or 90% of your normal weekly earnings, if this is lower.

### **Deductions from statutory shared parental leave pay (ShPP)**

ShPP is treated as earnings, so the Council will make any deductions (such as income tax and NI contributions) that are due. The Council will also make other deductions from your ShPP, for example pension contributions.

### **Pay rises**

If SCDC awards a pay rise that is effective at any time from the start of the period used to calculate your ShPP (the relevant period) and the end of your leave, ShPP will be recalculated to take into account the pay rise. ShPP will also be re-calculated if you are awarded a pay rise with an effective date before the start of the set period but the earnings used in the ShPP calculation did not reflect that pay rise. The HR Team will advise you if this arises.

### **Pension payments**

If you contribute to the Local Government Pension Scheme, deductions will continue to be made during paid shared parental leave on the payment you actually receive. SCDC as the employer will pay pension contributions on notional full pay.

In the unpaid period of shared parental leave, your pension contributions will cease. However, you will be given the option of paying contributions based on the level of your earnings during the last week of your paid shared parental leave, by arrangement with Payroll. Whilst you continue to contribute to the Pension Scheme the Council will also contribute proportionately.

If you do not pay contributions during unpaid leave, this period will not count as pensionable service. If you wish to discuss this further please contact the Pensions Section on 01604 366537.

### **Deductions**

If you have any deductions made from your salary you will need to talk with Payroll staff to ensure you have in place arrangements to cover your payments during shared parental leave, specifically if you enter the period of unpaid leave. Examples you need to consider are cycle schemes, training loans, pensions etc.

### **Trade Union Subscriptions**

If you are a member of a Trade Union you will continue to pay your existing subscription rate until your pay drops for a full month when you are then treated as having a salary equal to half pay and you would then pay subscriptions on that band whilst you receive pay. Contact the Payroll Team for further advice. In the unpaid leave period you have free membership until you return. If you do not return and stay unemployed you would be eligible to become an unemployed member. Please contact your union branch for further advice on this.

### **Childcare Vouchers**

If you are a member of the Childcare Voucher Scheme through the Council, deductions will continue to be taken from your salary payments during shared parental leave. If you are not receiving enough payment to cover the deduction for childcare vouchers, the Council will make up the difference in cost.

You may opt to 'take a break' from being in the Childcare Voucher Scheme during your shared parental leave, of up to 12 months. If you decide to do this then you will need to let the Payroll team know, and you need to update your account on the voucher providers' website.

## **11. Evidence Requirement**

SCDC may request a copy of the child's birth certificate and the name and address of the other parent's employer.

In the case of adoption, SCDC may request the name and address of the other parent's employer, along with evidence confirming the following:

- The name and address of the adoption agency
- The date that the main adopter was notified of having been matched for adoption with the child
- The date on which the adoption agency expects to place the child

Any such request will be made by SCDC within 14 days of receiving your notice of entitlement and intention to take SPL and ShPP. You must respond to the request for evidence within 14 days (or within 14 days of the birth of the child if the request was made before the child was born).

If a birth certificate has not yet been issued, you must sign a declaration confirming it along with the date and location of the child's birth. If the other parent has no employer, this must also be declared

## **12. Related Issues**

### **Fertility treatment**

Please talk to a member of the HR team and your line manager if treatment is to commence to ensure a risk assessment can be done and any reasonable adjustments discussed. Please refer to the Attendance Management policy and the Maternity policy for guidance.

### **Antenatal appointments**

Pregnant employees are entitled to reasonable time off with pay for antenatal care made on the advice of a registered medical practitioner. This may include relaxation classes and parent-craft classes. Except for the first appointment, employees should show the employer (if requested), an appointment card or other documents showing that an appointment has been made. For a first baby employees can expect to have up to 10 antenatal appointments.

Employees have the right to take unpaid time off work to accompany expectant partners to up to 2 antenatal appointments. Employees can also take the same unpaid time off to accompany an individual who is not their partner, but is carrying their biological child or a child that they intend to adopt. "Partner" includes the spouse, civil partner, or person in a long term relationship with the pregnant individual. The right applies whether the child is conceived naturally or through donor insemination.

There is no qualifying period before employees can exercise their right to unpaid time off to attend antenatal appointments.

SCDC is entitled to ask the employee for a declaration stating the date and time of the appointment, that the employee qualifies for the unpaid time off through their relationship with the pregnant individual or child, and that the time off is for the purpose of attending an antenatal appointment that has been made on the advice of a registered medical practitioner, nurse or midwife.

Reasonable notice must be given to line managers who will notify Payroll to ensure appropriate deductions are made.

### **Related Policies**

Maternity policy

Paternity policy  
Adoption policy  
Parental leave policy  
Neo-Natal policy

## 13. Forms

### **Curtailment Notice**

If you are an eligible birth parent and want to take SPL or enable your eligible partner to take SPL, you will need to complete this form to bring your maternity/adoption leave to an end. You should complete and submit this form alongside SCDC's 'Notice of Entitlement and Intention to take SPL'.

### **Revocation of Curtailment Notice**

Please complete this form if you are the birth parent or main adopter and would like to withdraw the notice to curtail your maternity or adoption leave.

### **Notice of Entitlement and Intention to take SPL**

This notice is to allow SCDC to check that you are entitled to SPL and to provide an initial indication of the SPL pattern that you wish to take. The notice is not binding and you must give SCDC a 'Period of Leave Notice' at least eight weeks before the start date of the first period of SPL. Any periods of SPL that you indicate in this notice may be changed at a later date by giving SCDC a 'Period of Leave Variation Notice'.

### **Period of Leave Notice**

This notice is to confirm to SCDC the SPL that you intend to take. You must have already submitted a 'Notice of Entitlement and Intention to take SPL' before using this form.

### **Period of Leave Variation Notice**

This notice is to amend a period of SPL that you intend to take and that you provided in a Period of Leave Notice.

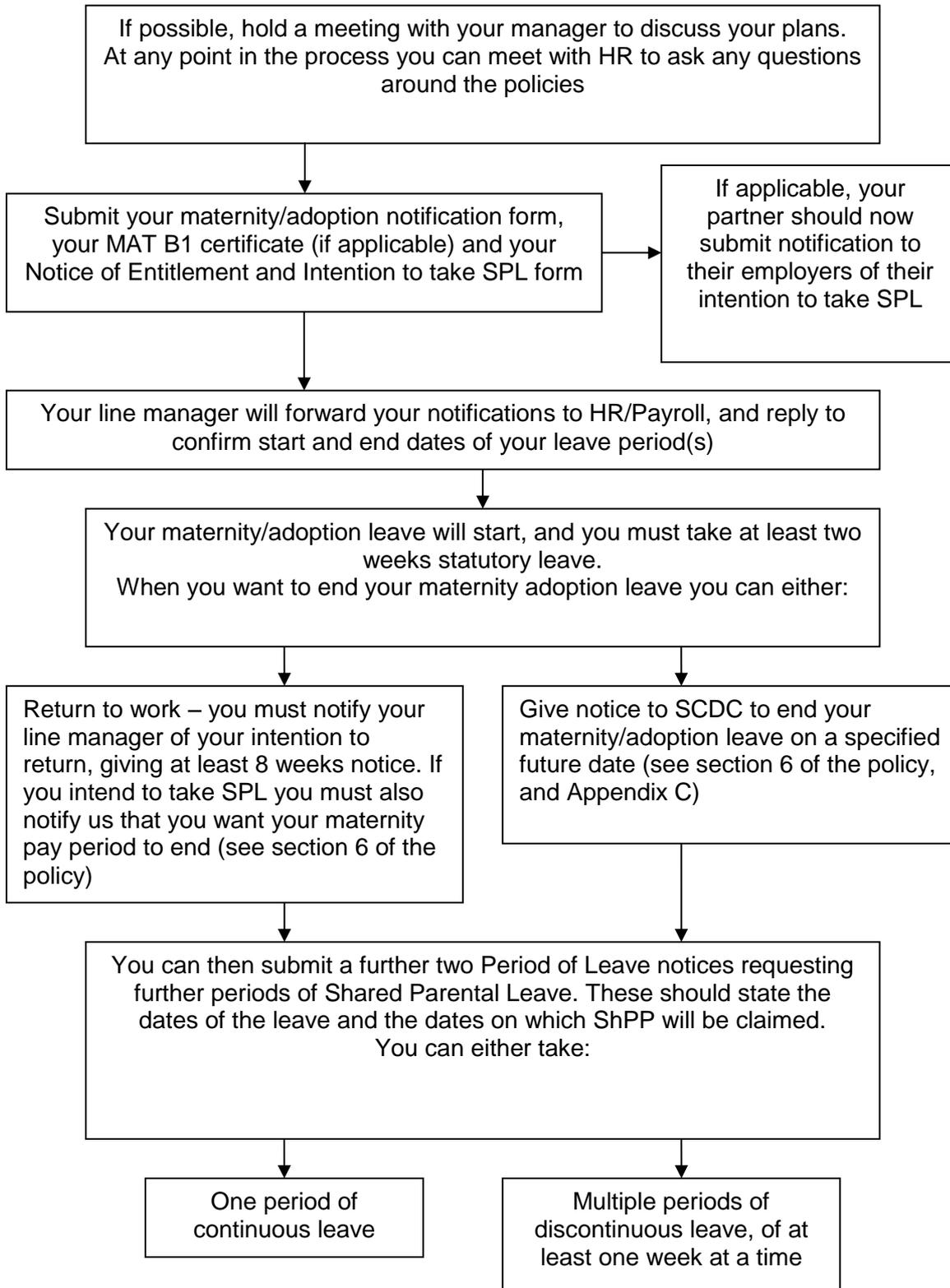
### **SPLIT Days Claim Form**

This form needs to be completed by the line manager after the SPLIT days have been worked in any given month.

## Appendix A

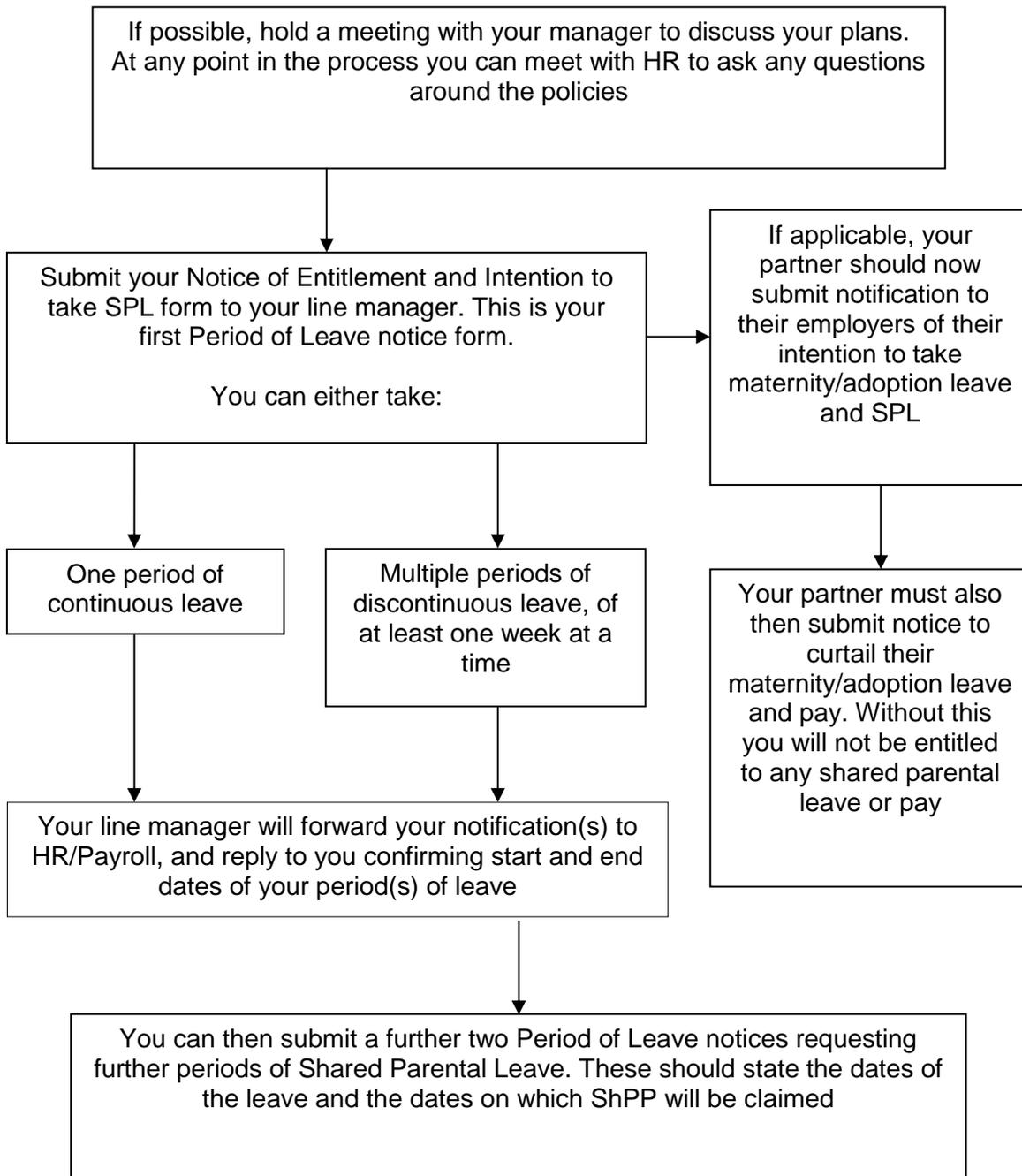
### Flow chart for process if employee is pregnant/main adopter

The process of applying for Shared Parental Leave can commence before or after a child is born or adopted. If it commences before, the process can be revoked within 6 weeks of the birth/adoption. If not, the request for Shared Parental Leave is binding. All notices issued by an employee in connection with Shared Parental Leave, need to be received by the line manager at least 8 weeks in advance.



## Flow chart for process if employee’s partner is pregnant/main adopter

The process of applying for Shared Parental Leave can commence before or after a child is born or adopted. If it commences before, the process can be revoked within 6 weeks of the birth/adoption. If not, the request for Shared Parental Leave is binding. All notices issued by an employee in connection with Shared Parental Leave, need to be received by the line manager at least 8 weeks in advance.



## Appendix C

### Maternity/Adoption Leave Curtailment Notice

You should complete and submit this form alongside SCDC's 'Notice of Entitlement and Intention to take SPL'.

Please think very carefully before you submit this form. Once the form is submitted, you can withdraw your curtailment notice only in limited circumstances.

The date on which you end your maternity/adoption leave must be at least:

- eight weeks after the date on which you provide this notice to the organisation;
- two weeks after you give birth/are matched with the child; and
- one week before what would have been the end of your additional maternity/adoption leave.

<b>Employee name:</b>
<b>Job title:</b>

**Declaration:** I wish to bring my [ordinary/additional] maternity/adoption leave [and pay] to an end to be able to take SPL. I have also completed the 'Notice of Entitlement and Intention to take SPL'.

I wish to end my [ordinary/additional] maternity/adoption leave on:	
I wish my maternity/adoption pay period (if applicable) to end on:	
Signed:	
Dated:	

**Please return the completed form to the HR department.**

**Appendix D**

**Revocation of Curtailment Notice**

You can withdraw your maternity/adoption leave curtailment notice only if:

- it is discovered that neither you nor your partner are entitled to SPL or statutory shared parental pay and you withdraw your maternity/adoption leave curtailment notice within eight weeks of providing your curtailment notice;
- you gave the maternity/adoption leave curtailment notice before the birth/placement of your child and you withdraw your curtailment notice within six weeks of your child's birth/placement; or
- your partner has died (please state the date of death \_\_\_\_\_).

<b>Employee name:</b>	
<b>Job title:</b>	
Date of maternity/adoption leave curtailment notice:	
I previously notified you that I wished to end my maternity/adoption leave on:	

I no longer wish to end my maternity/adoption leave and would like to revoke my maternity/adoption leave curtailment notice.  I would also like to revoke my maternity/adoption pay period curtailment notice.
Signed:
Dated:

**Please return the completed form to the HR department.**

## Appendix E

### Notice of Entitlement and Intention to take SPL

This notice is to allow SCDC to check that you are entitled to SPL and to provide an initial indication of the SPL pattern that you wish to take. The notice is not binding and you must give SCDC a Period of Leave Notice at least eight weeks before the start date of the first period of SPL. Any periods of SPL that you indicate in this notice may be changed at a later date by giving SCDC a variation notice. The start date of the first period of SPL that you wish to take must be at least eight weeks after you have provided this notice. SPL must be taken in blocks of at least one week.

<b>Employee name:</b>
<b>Job title:</b>

<b>Section A: Basic details</b>	
Child's expected date of birth/date of placement for adoption	
Child's actual date of birth/ date of placement of adoption (if known)	
Start date of mother/main adopter's maternity/adoption leave (or pay period*)	
End date of mother/main adopter's maternity/adoption leave (or pay period*)	

\*the start and end dates of the statutory maternity/adoption pay or maternity allowance period if the mother /main adopter is not entitled to statutory leaver

<b>Section B: Shared Parental Leave Details</b>	
<b>The total amount available is 52 weeks minus the number of weeks' leave/pay already taken by the mother/main adopter to the dates given in the previous section</b>	
Total number of weeks' SPL available	
Number of weeks' SPL you intend to take	
Number of weeks' SPL the other parent intends to take	
Indication of start and end dates of SPL that you intend to take	

<b>Section C: Shared Parental Pay Details</b>	
<b>The total amount of shared parental pay (ShPP) which may be available is 39 weeks minus the number of weeks' pay already taken by the mother/main adopter according to the dates given in Section 1.</b>	
Total number of week's ShPP payable	
Number of week's ShPP you intend to take	
Number of week's ShPP the other parent intends to claim	
Indication of start and end dates of your ShPP periods	

**Section D: Declaration to be completed by employee**

I confirm that I meet the following conditions:

- I am the mother, father, or the main adopter of the child, or the partner of the mother or main adopter
- I have (or share with the other parent) the main responsibility for the care of the child and I am taking SPL in order to care for the child
- I have at least 26 weeks' continuous service at the 15<sup>th</sup> week before expected week of birth or at the week in which the main adopter was notified of having been matched for adoption with the child (known as the 'relevant week')
- I intend to be in continuous employment until the week before my SPL is taken
- (If I am claiming shared parental pay) I have average weekly earnings equal to or above the Lower Earnings Limit over the eight week period ending with the relevant week
- I agree to inform SCDC immediately if I cease to meet the conditions for the entitlement to SPL or ShPP

Also, if you are the mother/main adopter:

- I have complied with SCDC's maternity leave curtailment requirements/returned to work before the end of my statutory maternity leave period, and will comply with SCDC's Shared Parental Leave notice and evidence requirement

Signed:

Dated :

**Section C: Declaration to be completed by employee's partner**

Name	
Address	
National Insurance Number	

I confirm that I meet the following conditions:

- I have at least 26 weeks' employment (employed or self-employed) out of the 66 weeks prior to the 15<sup>th</sup> weeks before the expected week of birth or at the week in which the main adopter was notified of having been matched for adoption with the child (known as the 'relevant week')
- I have average weekly earnings of at least £30 for any 13 of those 66 weeks
- At the date of the child's birth, I will have the main responsibility, apart from the mother, for the care of the child
- I agree to inform your employee immediately if I cease to meet the conditions above
- I consent to your employee taking SPL and ShPP as set out in Sections B and C above

If you are the mother/main adopter:

- I have curtailed my maternity leave and pay/adoption leave and pay/ maternity allowance or will have done so by the time your employee starts SPL

Signed:

Dated:

**Please return the completed form to the HR department.**

**Appendix F**

**Period of Leave Notice (SPL)**

Use this form to give notice to take a period of shared parental leave (and pay if applicable) giving at least eight weeks' notice of the start date of the leave. You can request to take SPL in one continuous block or as a number of discontinuous blocks of leave. SPL must be taken in blocks of at least one week. A maximum of three requests for leave per pregnancy can normally be made by each parent.

You must have previously submitted the Notice of Entitlement and Intention to take Leave form, and had your eligibility for shared parental leave confirmed.

<b>Employee name:</b>
<b>Job title:</b>

<b>Section A: Shared Parental Leave Details:</b>		
<b>Start Date</b>	<b>End Date</b>	<b>Number of weeks:</b>

<b>Section B: Shared Parental Pay Details (if applicable):</b>		
<b>Start Date</b>	<b>End Date</b>	<b>Number of weeks:</b>

<b>Section C: Signature</b>
Signed:
Dated:

**Please return the completed form to the HR department.**

## Appendix G

### Variation of Period of Leave Notice (SPL)

This notice is to amend a period of SPL that you intend to take and that you provided in a Period of Leave Notice. You must have already submitted a period of leave notice before using this form.

SCDC recognises that employees' plans can change. However, it is recommended that you and your partner think carefully about your SPL before submitting this form, as opportunities to amend your requests for SPL are limited. Apart from exceptional circumstances, you can submit a period of leave notice or a notice that you have changed your mind about SPL dates on a combined total of just three occasions. You are entitled to make 3 notifications or changes to agreed periods or patterns of shared parental leave.

<b>Employee name:</b>
<b>Job title:</b>

<b>Section A: Shared Parental Leave Details</b>	
I have already notified SCDC that I will be taking the following periods of SPL:	
My partner has already notified his/her employer that he/she will be taking the following periods of SPL:	
I now intend to take SPL during the following periods (include start and end dates):	

<b>Section B: Shared Parental Pay Details</b>	
I have already notified SCDC of the following periods of statutory shared parental pay (if applicable):	
My partner has already notified his/her employer of the following periods of statutory shared parental pay (if applicable):	
I now intend to take shared parental pay during the following periods (include start and end dates):	

<b>Section C: Signatures</b>	
Signed (mother):	
Dated (mother):	
Signed (partner):	
Dated (partner):	

**Please return the completed form to the HR department.**

## Shared Parental leave In Touch (SPLIT) Days Claim Form

Employees are entitled to a maximum of 20 days' work for SCDC without bringing their shared parental leave to an end. These days are in addition to the 10 keeping-in-touch days available to employees during maternity leave.

Any work carried out on a day constitutes one day's work and includes any work done under the contract of employment and may include training or any activity aimed at keeping in touch.

Payments will be based on the employee's hourly rate at the time the SPLIT days are worked.

Section A: To be completed by the line manager	
<b>Line manager's name:</b>	
<b>Service Area:</b>	
<b>Date:</b>	
<b>Employee name:</b>	
<b>Payroll number:</b>	
<b>Balance remaining from previous claim:</b>	

Section B: SPLIT days details		
Date Worked	Hours Worked	Balance Remaining

Section C: Authorisation	
<b>Manager's signature:</b>	
<b>Authorised signatory:</b>	
<b>Date:</b>	

**Please return the completed form to the HR department by the 15<sup>th</sup> of the month in which the payment is to be made.**