

SHARED PARENTAL LEAVE
(BIRTH AND ADOPTION)
FOR
ST JOHN'S SCHOOL & SIXTH FORM COLLEGE
(A Catholic Academy)
EMPLOYEES



CONTENTS

1. Introduction
2. Scope
3. Equality
4. What is Shared Parental Leave? (SPL)
5. What happens to Maternity/Adoption Leave?
6. Who can take Shared Parental Leave?
7. Am I eligible to Shared Parental Leave?
8. How much Shared Parental Leave is available?
9. How do I apply for Shared Parental Leave?
10. Requesting Further Evidence of Eligibility
11. Does Shared Parental Leave to be taken in one block?
12. How do I book Shared Parental Leave?
13. Can my request for Shared Parental Leave be refused?
14. How do I change a previously booked period of Shared Parental Leave?
15. Shared Parental Leave in Touch Days (SPLIT)
16. Return to Work
17. Am I entitled to Statutory Shared Parental Pay? (SSPP)
18. How do I claim Shared Parental Pay?
19. What happens to my Pension?
20. What about Annual Leave?
21. Sickness Absence during Shared Parental Leave?
22. Revoking notice to end Maternity or Adoption Leave
23. What if my child is born early?
24. Death of a Parent / Partner during the child's first year
25. Multiple Births / Adoptions
26. Fraudulent claims
27. Statutory Paternity Leave
28. Unpaid Parental Leave
29. Right to Request Flexible Working

Appendix 1 – Eligibility of entitlement to Shared Parental Leave and Pay

Appendix 2 – Letter 1 – Invite to discuss Shared Parental Leave

Appendix 3 – Form A

Appendix 4 – Form B

Appendix 5 – Letter 2 – Confirmation of entitlement to Shared Parental Leave and Pay

Appendix 6 – Letter 3 – Confirmation of booking or variation

Appendix 7 – Refusal of a discontinuous leave booking

SHARED PARENTAL LEAVE AND PAY

1. INTRODUCTION

- 1.1 This policy outlines the arrangements for Shared Parental Leave (SPL) and pay in relation to the birth and adoption of a child.

2. SCOPE

- 2.1 The provisions of this policy will apply to all staff, both teaching and support staff, directly employed by the Academy.

3. EQUALITY

- 3.1 In applying this policy, the Academy will not unlawfully discriminate in respect of any of the protected characteristics as defined under the Equality Act 2012 and specified below:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

- 3.2 This policy does not form part of any employee's contract of employment and it may be reviewed to make sure it is up to date and effective. The Academy's recognised Trade Unions will be consulted as part of any review.

4. WHAT IS SHARED PARENTAL LEAVE (SPL)?

- 4.1 SPL is a form of leave that may be available if your child is expected to be born or adopted on or after 5 April 2015. The SPL provisions allow women to **choose** to bring maternity/adoption leave to an end early (i.e. curtail) and opt to take any unused leave as SPL instead. SPL can then be shared between the parents of the child (or between the mother and her partner – see below). Each parent/partner can take SPL separately or at the same time and may be able to stop and start their SPL and return to work between periods of leave.

5. WHAT HAPPENS TO MATERNITY/ADOPTION LEAVE?

- 5.1 A mother/adoption will continue to be entitled to take 26 weeks' ordinary and 26 weeks' additional maternity/adoption leave as they are now. Employment rights during maternity/adoption leave will stay the same and statutory maternity pay entitlement is unchanged. A mother/adoption will now also have the option to end

their maternity/adoption leave and pay early and **opt** to take SPL instead. However they can choose to remain on maternity/adoption leave if they wish.

- 5.2 Further information on the Academy's Maternity and Adoption policies are available from the Head Teacher.

6. WHO CAN TAKE SHARED PARENTAL LEAVE (SPL)?

- 6.1 Employees are entitled to SPL in relation to the birth/adoption of a child if:
- (a) They are the child's mother and share the main responsibility for the care of the child with the child's father,
 - (b) They are the child's father and share the main responsibility for the care of the child with the child's mother,
 - (c) They are the mother's partner (including same sex partner) and share the main responsibility for the care of the child with the mother,
 - (d) They are adopting a child and share the primary responsibility for the child with the other parent at the time of the placement for adoption,
 - (e) They are in a surrogacy arrangement where they are applying for a parental order and are eligible for adoption leave and pay,
- AND**
- (f) They meet the relevant eligibility criteria (explained below).

- 6.2 "Partner" means a person who the mother or adopter is married to or in a civil partnership with; or a partner who the mother or adopter is living with. **SPL can only be shared between 2 people.** SPL cannot be shared with an employee's sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew.

7. AM I ELIGIBLE FOR SHARED PARENTAL LEAVE?

- 7.1 Gov.uk gives further information regarding employees' SPL rights and the requirements of the law in detail. It is available on the Internet at: <https://www.gov.uk/shared-parental-leave-and-pay>
- 7.2 The criteria for being able to qualify for SPL and pay are also set out at **Appendix 1.**

8. HOW MUCH SHARED PARENTAL LEAVE IS AVAILABLE?

- 8.1 The maximum period of SPL that is available is 52 weeks minus any maternity/adoption leave taken. As the mother has to take **two weeks compulsory maternity leave and pay** following the birth of a baby (which cannot be shared) this leaves a maximum of 50 weeks that can be taken as SPL. The adopter must take 2 weeks adoption leave and pay before starting SPL.

8.2 SPL cannot begin before the birth or placement for adoption and must be taken by the day before the child's first birthday or the day before the first anniversary of the placement of an adopted child. Any SPL not taken will be lost.

9. HOW DO I APPLY FOR SHARED PARENTAL LEAVE?

9.1 If you are considering taking SPL or you want to find out more about the provisions you should contact the Head Teacher to arrange an informal discussion as early as possible regarding your entitlement and what you need to do to be able to take SPL (**letter 1 – Appendix 2**).

9.2 If following this meeting you want to take SPL, or you want your partner to take SPL you must complete **Form A - notice of entitlement and intention to take SPL (Appendix 3)**.

9.3 In order to be able to take SPL and pay you must have ended or "curtailed" your maternity/adoption leave early. You will be able to this in one of 2 ways:

- You can return to work before the end of your maternity/adoption leave period thus bringing your maternity/adoption leave and pay to an end;

OR

- You can give written notice to the Academy to end your maternity\adoption leave on a date in the future. This notice must be given at least **8 weeks** before you intend to take a period of SPL.

9.4 **Form A** includes a section for you to give notice to curtail your maternity/adoption leave.

9.5 This notice can be given before or after the birth/adoption. If it is given after the birth, the notice is binding. However, if notice is given before the birth, you are able to revoke the notice **up to six weeks after the birth** – this is in case an unplanned situation arises following the birth of the child (mother's only).

9.6 If you work for more than one employer, you will need to give all of your employers notice at the same time to end your maternity or adoption leave and pay to qualify for SPL.

10. REQUESTING FURTHER EVIDENCE OF ELIGIBILITY

10.1 The Academy may, within 14 calendar days of receipt of your notice of entitlement (Form A), request:

- The name and business address of the other parents/partner's employer (where the employee's partner is no longer employed or is self employed their contact details must be given instead)
- In the case of biological parents, a copy of the child's birth certificate (or, where one has not been issued, a declaration as to the time and place of the birth).
- In the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date on which they were notified of

having been matched with the child and the date on which the agency expects to place the child for adoption

10.2 In order to be entitled to SPL, you must produce this information within 14 calendar days of the request.

10.3 **The academy will request a notice of entitlement to take SPL and the accompanying declarations are sufficient evidence of the right to claim SPL.**

11. DOES SHARED PARENTAL LEAVE HAVE TO BE TAKEN IN ONE BLOCK?

11.1 You can take **one continuous block** of SPL or request a **maximum of three discontinuous periods** of leave. The minimum period of leave is one week. Further information on continuous and discontinuous leave is provided below

12. HOW DO I BOOK SPL?

12.1 If you have indicated on **Form A** that you wish your intention to take SPL to be binding then this will count as a booking of leave and if agreed this will be confirmed in writing (**Letter 2- Appendix 5**).

12.2 If you have not indicated that you wish your intention to take SPL to be binding then you must submit **Form B - notice to book or vary SPL (Appendix 4)** at least 8 weeks before the period of SPL is due to start.

12.3 Upon receiving your notice to book or vary SPL a further meeting may be arranged to discuss this in more detail. However where a notice is for a **single period of continuous leave** a meeting may not always be necessary (see below).

12.4 Where a meeting is arranged it should take place in private and be arranged in advance. If the initial date is not convenient then another date will be arranged if possible.

12.5 The meeting will be with yourself and the Head Teacher. A workplace colleague, trade union representative or friend may accompany you.

12.6 The purpose of this meeting is to discuss in detail the leave proposed and what will happen while you are away from work. Where it is a request for **discontinuous leave** the discussion may also focus on how the leave proposal could be agreed and whether a modified arrangement would be agreeable both you and the Academy.

13. CAN MY REQUEST FOR SHARED PARENTAL LEAVE BE REFUSED?

13.1 If you simply request **one period of continuous** SPL, you are entitled to take that period of leave. The Academy cannot refuse this request provided you meet all the

SPL eligibility criteria. You can only withdraw a notice to take a single block of leave if the Academy agree to the withdrawal.

- 13.2 Agreement is necessary if you request **discontinuous periods** of SPL – **meaning two or more periods of leave separated by periods at work**. Each request for discontinuous leave will be considered on a case-by-case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar pattern of SPL. All requests for discontinuous leave will be carefully considered, weighing up the potential benefits to the employee and to the Academy against any adverse impact.
- 13.3 On considering your request for discontinued leave the Academy can:
- Agree to the periods of leave requested,
 - Propose alternative dates, or
 - Refuse the leave without proposing alternative dates.
- 13.4 The Academy will inform you in writing of the decision as soon as is reasonably practicable, but no later than the 14th day after the leave notification was made **(Letters 3&4 Appendices 6&7)**.
- 13.5 If a discontinuous leave pattern is refused and you cannot agree an alternative period of leave then you may withdraw the request on or before the 15th day after the notification was given; or you may take the total number of weeks in the notice in a single continuous block. If you withdraw your notice within 15 calendar days it does not count towards the cap of three booking notifications (see above).
- 13.6 Once the 15th day has passed, any variation to the period of leave booked must be done by completing **FORM B** which should be submitted at least 8 weeks before the SPL is due to start. This variation will count towards the cap of three booking notifications (see above).
- 13.7 If you choose to take the leave in a single continuous block, you have until the 19th day from the date the original notification was given to choose when you want the leave period to begin. The leave cannot start sooner than eight weeks from the date the original notification was submitted. If you do not choose a start date then the leave will begin on the first leave date requested in the original notification (this is the statutory default position).

14. HOW DO I CHANGE A PREVIOUSLY BOOKED PERIOD OF SHARE PARENTAL LEAVE?

- 14.1 You can give a maximum of **three** (see above) notices to book leave or to vary a previously agreed pattern of leave, giving **at least eight weeks' notice** of the change, using **Form B**.
- 14.2 You can also decide to change the way that you have allocated the total number of weeks of SPL between you and the other parent/partner by completing **Form B**.

15. SHARED PARENTAL LEAVE IN TOUCH DAYS (SPLIT)

- 15.1 SPLIT days have been introduced for employees taking SPL. These are in **addition** to the keeping in touch (KIT) days already available for employees on statutory maternity/adoption leave. You can agree to work for the Academy (or attend training) for up to **20** days during SPL without bringing your period of SPL to an end. The other parent/partner taking SPL is also entitled to 20 SPLIT days.
- 15.2 SPLIT days will be arranged by agreement for such purposes as training or other activity to assist you to keep in touch with the workplace. The Academy has no right to demand that any such SPLIT work is undertaken and you have no right to expect to undertake such work. However, such days will be for an agreed and specific purpose related to work. Any work carried out on a day or part of a day shall constitute a day's work for these purposes.
- 15.3 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.

16. RETURN TO WORK

- 16.1 As with maternity/adoption leave, protections have been put in place for employees who take SPL in order to ensure that they are not disadvantaged by taking this leave. These protections relate to terms of employment, return to work, and general treatment. Employees who take SPL are entitled to the benefit of all terms and conditions of employment, except remuneration, which would have applied if they had not been absent.
- 16.2 An employee's right to return to the same job varies depending on the length of the leave. The key time period is **26 weeks**, including any combination of maternity, adoption, paternity or SPL. **Employees are entitled to return to the same job if they have taken leave of 26 weeks or less, regardless of how many periods of leave they have taken.**
- 16.3 **Employees who take more than 26 weeks' leave have the right to return to either the same job, or a similar job if it is not reasonably practicable to return to the same position.**
- 16.4 Employees also have protection against dismissal or detriment for making or proposing to make use of SPL.

17. AM I ENTITLED TO STATUTORY SHARED PARENTAL PAY (SSPP)?

- 17.1 Broadly speaking, anyone who is eligible for SPL should be eligible for SSPP (subject to completing the relevant paperwork) if they have normal weekly earnings of at least the lower earnings threshold for national insurance contributions. Anyone who has qualified for Statutory Maternity Pay (SMP), Statutory Adoption Pay (SAP) or Statutory Paternity Pay (SAP) will have met this test.
- 17.2 If eligible up to **37 weeks** of SSPP will be available to be shared between the mother and the other parent/ partner, less any maternity/adoption pay taken by the mother. SSPP is paid at the **lower** of the statutory prescribed rate (approximately £139.58 per week from 5 April 2015) or 90 per cent of the employees normal weekly

earnings (subject to the lower earnings limit). **The remaining 13 weeks of statutory shared parental leave are unpaid.**

- 17.3 This means that SSPP is paid at the lower level throughout the leave period. Unlike with statutory maternity/adoption pay, there is no provision for the first six weeks to be paid at 90 per cent of the employees actual weekly earnings. This is the case even if the mother/adopter returns from maternity leave after only two weeks, during the period where the higher level of maternity/adoption pay would have been available to her.

18. HOW DO I CLAIM SHARED PARENTAL PAY?

- 18.1 If you wish to claim statutory parental pay, then you will need to clearly indicate this when completing and returning **Form A**.

19. WHAT HAPPENS TO MY PENSION?

- 19.1 If you are a member of the Local Government Pension scheme or the Teachers Pension Scheme, the Academy will make employer pension contributions during any period of paid SPL, based on your normal salary, in accordance with the pension scheme rules. Any employee contributions you make will be based on the amount of any shared parental pay you are receiving, unless you inform the Head Teacher that you wish to make up any shortfall and the pension scheme allows you to do so.

20. WHAT ABOUT ANNUAL LEAVE?

- 20.1 SPL is granted in addition to your normal annual holiday entitlement. You are reminded that holiday should wherever possible be taken in the year that it is earned.
- 20.2 If your SPL will continue into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting your leave can be carried over [and must be taken immediately before returning to work unless agreed otherwise].

21. SICKNESS ABSENCE DURING SHARED PARENTAL LEAVE

- 21.1 If you are sick and unable to care for your child, then you are not entitled to take SPL. In such circumstances, sick pay, rather than any statutory shared parental pay, will be paid during a period of sickness on receipt of the appropriate certification from the employee.

22. REVOKING NOTICE TO END MATERNITY OR ADOPTION LEAVE

- 22.1 It will only be possible for you to revoke your intention to take SPL and pay and revert back to maternity/adoption in the following circumstances:
- Where it is discovered in the 8 weeks following the notice that neither you or the other parent/partner has any entitlement to shared parental leave or pay; or
 - In the event of the death of the other parent/partner; or

- (For mothers only) if the notice was given before the birth and you revoke your maternity leave curtailment notice in the six weeks following the birth.

23. WHAT IF MY CHILD IS BORN EARLY?

- 23.1 If your child is born before the expected due date and you had booked to take SPL within the first eight weeks of the due date, you may take the same period of time off after the actual birth without having to provide eight weeks' notice, by submitting a notice to vary your leave as soon as is reasonably practicable. Unlike most other variation notices, this would not count as one of your three notifications.
- 23.2 Any leave arranged after the first eight weeks of the due date is still bound by the eight-week notice required to vary leave.
- 23.3 If the child is born more than eight weeks before the expected due date and the notice of entitlement to SPL and/or a notice to book SPL have not yet been given, then there is no requirement to give eight weeks' notice before the period of leave starts. The notices should be given as soon as is reasonably practicable after the actual birth.

24. DEATH OF A PARENT / PARTNER DURING THE CHILD'S FIRST YEAR

- 24.1 If either parent/partner dies and the other parent/partner is taking, or is entitled to SPL then they will continue to be eligible. Any SPL that was due to be taken by the deceased parent may be transferred to the other parent if the other parent is eligible for SPL.

25. MULTIPLE BIRTHS/ADOPTIONS

- 25.1 You are not entitled to extra SPL or ShPP if you are expecting more than one child. The entitlements are, like maternity leave, the same as if you were expecting one child. This also applies to multiple adoptions that occur in a single placement.

26. FRAUDULENT CLAIMS

- 26.1 The Academy can, where there is a reasonable suspicion that fraudulent information may have been provided or where we have been informed by the HMRC that a fraudulent claim has been made, investigate the matter further in accordance with the Academy's disciplinary procedure. This may result in disciplinary action being taken.

27. STATUTORY PATERNITY LEAVE

- 27.1 The two-week period of ordinary paternity leave (paid at the statutory rate) will continue to be available. Ordinary paternity leave must be taken during the eight weeks following the birth of the child (but is not compulsory) and may not be shared with the mother.
- 27.2 **Additional paternity leave and additional statutory paternity pay will be abolished in relation to parents of children due on or after 5 April 2015 and replaced with shared parental leave and pay.**

28. UNPAID PARENTAL LEAVE

28.1 The right for all eligible employees to take statutory **unpaid** parental leave will remain. This allows for an eligible employee to take a total of up to 18 weeks' unpaid parental leave for each child for the purpose of caring for that child. Parental leave can be taken at any time

- Before the child's fifth birthday;
- Before the fifth anniversary of the date of placement in the case of an Adopted child; or
- Before the child's 18th birthday in the case of a child entitled to a disability living allowance.

29. RIGHT TO REQUEST FLEXIBLE WORKING

29.1 If an employee wishes to change their working pattern in terms of hours, times and place of work on return from Shared Parental Leave, they have a legal right to request a flexible working pattern.

29.2 The legislation does not provide an **automatic** right to work flexibly as there will always be circumstances when the Academy is unable to accommodate an employee's desired work pattern. However, the Academy has a duty to consider requests seriously and will only be able to refuse requests where there is a clear business reason for doing so. Further information on this is available from the Head Teacher.

29.3 Details of all the above policies are available from the Head teachers PA .

APPENDIX 1 ELIGIBILITY CRITERIA FOR SHARED PARENTAL LEAVE AND PAY

To qualify for Shared Parental Leave both the mother/adopter and the other parent/partner must meet the criteria below:

- They must meet the continuity of employment test (*see below)
 - They must meet the employment and earnings test (*see below)
 - They already have or expect to have main responsibility for caring for the child.
 - The mother is entitled to statutory maternity/adoption leave.
 - The mother has ended/curtailed her entitlement to maternity/adoption leave or has returned to work.
 - They have provided their employers with a **notice of entitlement** and intention to take SPL and pay (where they qualify for pay - *see below)
 - They have provided any evidence requested by their employer within 14 days of the request. This may include a copy of the birth/adoption certificate, or a declaration from the parents confirming the date and place of the child's birth if the birth certificate is not yet available, and the name and address of the other parent's employer. There is no need for employers to contact one another to make checks on the eligibility criteria or declarations.
 - They have given the employer a **period of leave notice**.
- * **Continuity of employment test:** the parent/partner must have worked for the same employer for at least 26 weeks at the end of the 15th week before the week in which the child is due (or at the week in which an adopter was notified of having been matched with a child or adoption) and is still employed in the first week that Shared Parental Leave is to be taken.
- * **Employment and earnings test:** the parent/partner must have worked for at least 26 weeks in the 66 weeks leading up to the due date and have earned above the maternity allowance threshold of £30 week in 13 of the 66 weeks.

Eligibility criteria for Statutory Shared Parental Pay

Lower Earnings Limit - To qualify for Shared Parental Pay in **addition** to all of the above the other parent/partner must, as well as passing the continuity of employment test and the employment and earnings test also have earned an average salary of the lower earnings limit of £111 for the 8 weeks' prior to the 15th week before the expected due date or matching date.

It is the employee's responsibility to check that they are entitled to Shared Parental Leave and Pay and to provide notice that they intend to take it. Sometimes only one parent/partner will be eligible. For example a self employed parent/partner may not be entitled to SPL themselves (as they are not an employee) but they may still pass the employment and earnings test so their partner, if they are an employee, may still qualify.

APPENDIX 2 LETTER 1 – INVITE TO DISCUSS SHARED PARENTAL LEAVE

Date dd/mm/yy

Dear

I would like to arrange a convenient time to discuss your intention to take Shared Parental leave with you. The discussion will be around your entitlement to Shared Parental leave and pay and what you need to do to book any leave or pay.

I therefore suggest a meeting at **[location]** on **[date]** at **[time]**. A workplace colleague, trade union representative or a friend may if you wish, accompany you.

If you haven't already done so please can you complete the attached **Notice of Entitlement and Intention to take Shared Parental Leave form** and bring it to the meeting. However if you are not sure how to complete this form we can go through it at this meeting. I also attach for your information a copy of the Academy's Shared Parental Leave Policy.

Please could you contact **[name of individual]** to confirm whether you are able to attend the meeting suggested above or, if not, to suggest an alternative time and date.

Yours sincerely

.....

APPENDIX 3 FORM A

Notice of Entitlement and Intention to take Shared Parental Leave

(Please read the Policy on Shared Parental Leave and Pay before completing this form)

If you wish to take shared parental leave, then you must submit this form to the Head Teacher before any maternity/adoption leave ends and at least **8 weeks** before the start of the first period of shared parental leave.

Basic Details

Employee Name:	
Date on which mother or main adopter commenced (or will commence) maternity / adoption leave:	
I am the: (Please tick one of the below) Mother of the child Main Adopter of the child Other parent of the child Mother/Adopters partner	

Notice of curtailment of maternity / adoption leave

Please complete this if you are the **mother or main adopter**. If on maternity/adoption leave, this date must be at least two weeks after the birth/adoption of your baby.

I wish my maternity / adoption leave to end on the following date:	
Signed:	Date:

Please complete this if you are the **partner** of the mother or main adopter.

I confirm my partner's maternity / adoption leave ended / will end on the following date:	
---	--

Shared Parental Leave Details

Maximum number of weeks of shared parental leave available (52 weeks minus the number of weeks taken on maternity/adoption leave according to the above dates i.e. minus 2 weeks compulsory maternity/adoption leave)	
Maximum number of weeks of shared parental pay available (39 weeks minus the number of weeks maternity/adoption pay according to the above dates)	
Number of weeks of shared parental leave / pay you intend to take	
Number of weeks of shared parental leave / pay the other parent/partner intends to take	

Requested Shared Parental Leave / Pay Dates

Start date	End date	Number of weeks leave	Number of weeks pay (if applicable)

The above dates do not constitute a formal binding request at this stage. However if you wish them to do so please indicate “Yes”: Yes / No

If you indicate “No”, then please complete **FORM B - Notice to Take or Vary a Period of Shared Parental Leave** for each period of leave requested at least **8 weeks** before the period of SPL is due to start.

Declarations

By the Employee

Please confirm your eligibility by ticking the appropriate boxes below and signing the form

- I am the mother, father, or main adopter of the child and will share the care of the child with my partner named below
- I meet the eligibility criteria for shared parental leave

If appropriate:

- I meet the eligibility criteria for shared parental pay
- I am the mother or main adopter and have completed the **notice of curtailment of maternity / adoption leave** section and understand that this is **binding** subject to certain conditions outlined in the policy
- I consent to you retaining and processing the information contained in this form

Signed: _____

Date: _____

To be completed by the Employee's Partner

Name	
Address	
Name and Address of Employer	
National Insurance Number	

I confirm that I meet the following criteria for eligibility for shared parental leave:

- I have worked either directly, for an agency or self-employed, for 26 weeks in the 66 weeks leading up to the due date
- I have earned above the maternity allowance threshold of £30 a week in 13 of the 66 weeks
- I consent to your employee taking shared parental leave and shared parental pay as detailed above

If appropriate:

- I am the mother / main adopter and confirm I have curtailed my maternity / adoption leave and pay with my employer (or will have done so by the time your employee takes shared parental leave)
- I consent to you retaining and processing the information contained in this form

Signed: _____

Date: _____

APPENDIX 4 FORM B

Notice to Take or Vary a Period of Shared Parental Leave

(Please read the Shared Parental Leave Policy before completing)

You should complete this form if you wish to request a period of shared parental leave / pay, or to vary a previously approved period.

The notice must be given **at least eight weeks** before the date the SPL is to be taken or if varying SPL at **least eight weeks** before the new date of the SPL. You should also have submitted a **Notice of Entitlement and intention to take Shared Parental Leave (FORM A)** and have had your eligibility for shared parental leave confirmed.

You are entitled to request a maximum of three variations of leave; therefore this request will count as one of those requests.

Name of Employee	
Name of Partner	

Requested Shared Parental Leave / Pay Dates

Start date	End date	Number of weeks leave	Number of weeks pay (if applicable)

Request to Vary Previously Requested Parental Leave / Pay Dates

Previously Approved Start date	Previously Approved End date	Detail the change you would like to request

We confirm that we agree to the request / variation outlined above.

Signed: (Employee) _____

Date: _____

Signed: (Employee's Partner) _____

APPENDIX 5 LETTER 2 – CONFIRMATION OF ENTITLEMENT TO SHARED PARENTAL LEAVE AND PAY

Dear

Thank you for your completed notice of entitlement and intention to take SPL and pay (if applicable), which I received on dd/mm/yy.

I now confirm that based on the information you have provided on this notice, you are entitled to take (insert number of weeks) Shared Parental Leave and (insert number of weeks) pay (if applicable.)

(Insert one of the paragraphs below as appropriate)

You indicated on your notice that you wished your intention to take SPL to be binding. Therefore you will be away from work on Shared Parental Leave from to **[If leave is discontinuous then please amend as needed]** .You are expected to return to work on the first working day after your leave period ends.

During your leave period you will receive Statutory Shared Parental Pay from..... to..... **[If leave is discontinuous, or where no pay is applicable then please amend as needed]**

OR

You indicated on your notice that did not wish your intention to take SPL to be binding. Therefore in order to book a period of SPL you must submit a notice to take or vary SPL. This must be submitted at least eight weeks before any period of SPL is due to start.

If you have any questions about any aspect of your Shared Parental Leave and/or pay entitlement, please do not hesitate to speak to **[name of individual]**.

Yours sincerely

.....

APPENDIX 6 LETTER 3 - CONFIRMATION OF BOOKING OR VARIATION

Date dd/mm/yy.

Dear

Thankyou for your notice to book or vary SPL or pay (if applicable) which I received on dd/mm/yy.

I now confirm that based on the information you have provided, you are entitled to take Shared Parental Leave and pay (if applicable.)

Therefore you will be away from work on Shared Parental Leave from to **[If leave is discontinuous then please amend as needed]** .You are expected to return to work on the first working day after your leave period ends.

During your leave period you will receive Statutory Shared Parental Pay from..... to..... **[If leave is discontinuous, or where no pay is applicable then please amend as needed]**.

If you wish to vary this period of SPL and pay you must submit a further notice of variation form. A notice to vary a previously booked period of leave will count as a new notice thereby reducing your entitlement to make **three statutory notifications by a further one. (*amend if more than three notifications are allowed)** .

If you have any questions about any aspect of your shared parental leave and/or pay entitlement, please do not hesitate to speak to **(name of individual)**.

Yours sincerely

APPENDIX 7 LETTER 4 – REFUSAL OF A DISCONTINUOUS LEAVE BOOKING

Date dd/mm/yy

Dear

Thank you for your notice to book Shared Parental Leave that was given on dd/mm/yy

Having given the proposal thorough consideration, I regret that the Academy is unable to agree to the pattern of discontinuous leave that you requested.

Unless your notice is withdrawn the total amount of leave requested in your notice, amounting to weeks, will automatically become a continuous block. Unless the Academy is informed otherwise this will begin on the date you originally requested your leave period to start dd/mm/yy.

If you would like the period to begin on a different date please confirm this to **[name of individual/]** on or before dd/mm/yy. Please remember that the start date cannot be sooner than eight weeks from the date your original notice was given.

Alternatively you may withdraw your notification on or before dd/mm/yy. This would then not count as one of your notifications.

If you have any questions about any aspect of your Shared Parental Leave and/or pay entitlement, please do not hesitate to speak to **(name of individual)**.

Yours sincerely

.....