

People Directorate

Shared Parental Leave Policy



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Abbreviations

SPL	Shared Parental Leave
ShPP	Shared Parental Pay
EWC	Expected week of Childbirth
SML	Statutory Maternity Leave
SMP	Statutory Maternity Pay
SAL	Statutory Adoption Leave
SAP	Statutory Adoption Pay
AML	Additional Maternity Leave
MA	Maternity Allowance
SPLIT Days	Shared Parental Leave Keeping in Touch Days

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Policy Statement

The Thinking Schools Academy Trust (The Trust) recognises its legal obligations with regards to Shared Parental Leave and is committed to supporting best practice in relation to provision for new parents in the workforce.

Shared Parental Leave (SPL) provisions enable eligible employees to choose how to share the care of their child during the first year of birth or following adoption.

Mothers/adopters are able to end their maternity/adoption leave and associated contractual and statutory pay early. The untaken balance of their leave entitlement may then be shared with their partner in the form of Shared Parental Leave.

A maximum of 50 weeks of Shared Parental Leave may be shared between both partners either in continuous or discontinuous periods of not less than 1 week.

In addition, up to 37 week's statutory Shared Parental Pay (ShPP) may be paid to eligible employees.

The Trust recognises that employees have protection against detriment, disadvantage, unfair treatment or dismissal from exercising their right to take Shared Parental Leave.

This policy and procedure explain:

- The Shared Parental Leave entitlements and benefits available to employees
- The requirements and procedures employees will need to comply with in order to obtain Shared Parental Leave benefits

Employees are advised to read this document carefully as failure to comply with certain requirements and procedures could impact on their entitlement.

Employees are advised to discuss with HR the full options of Shared Parental leave, pay and entitlement.

2 Scope

This Policy and Procedure applies to all employees of The Thinking Schools Academy Trust.

Certain entitlements may be dependent on length of service within the Trust.

It should be noted that the provisions relating to Shared Parental Leave are different to those for paternity leave and parental leave for which separate guidance is available.

Please note where an employee's partner works for another employer – the Shared Parental Leave and Pay entitlements and eligibility criteria may vary and the organisations own Shared Parental Leave Policy should be consulted.

3 Adoption Arrangements and Date

This procedure was adopted by the Board of Directors of The Thinking Schools Academy Trust on

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1st September 2016.

This policy will be reviewed by the Board of Directors every 4 years or earlier if there is a need. This will involve consultation with the recognised unions.

4 Responsibilities of the Trust

To comply with the statutory provisions relating to Shared Parental Leave and Pay.

Not to disadvantage an employee for exercising their right to Shared Parental Leave.

5 Responsibilities of the Employee

- To comply with the notification arrangements and timescales set out within this document.
- To make truthful and accurate declarations in relation to their own and their partner's circumstances in relation to Shared Parental Leave.
- To maintain reasonable contact with the Headteacher/Principal/Line Manager and advise the Trust as soon as is practicable should their intentions regarding leave change.

6 Eligibility Criteria

Shared Parental Leave may be taken by:

- The mother/adopter **and**
- One of the following;
- The father of the child (in the case of birth) **or**
- The spouse, civil partner or partner* of the child's mother/adopter

To be eligible to take leave – both partners must share the main responsibility for the care of the child at the time of birth or at the date the adoption placement takes place

In addition, an Employee seeking Shared Parental Leave must satisfy the following criteria:

- The Employee must be eligible to take statutory maternity/adoption leave, or be entitled to statutory maternity pay (SMP), statutory adoption pay (SAP) or maternity allowance (MA)
- The Employee must have ended or given notice to reduce any maternity/adoption entitlements
- The Employee must still be working for the Academy at the start of each period of leave.
- The Employee must pass the 'continuity test' requiring them to have a minimum of 26 weeks' service at the end of the 15th week before the child's expected due date/matching date
- The Employee's partner* must meet the 'employment and earnings test' requiring them in the 66 weeks leading up to the child's expected due date/matching date have worked for at least 26 weeks and earned an average of at least £30 (this is correct as of 2015 but may change annually) a week in any 13 of those weeks;



- The Employee must correctly notify the Academy of their entitlement and provide evidence as required.

**Partner means – a person of either sex who lives with the mother/adopter and the child in an enduring family relationship at the date of the child's birth or placement. This may not be the mother/adopter's child, parent, grandchild, grandparent, sibling, aunt/uncle, niece/ nephew.*

7 Shared Parental Leave Entitlement

Eligible Employees may be entitled to take up to 50 weeks Shared Parental Leave (SPL). Shared Parental Leave must be taken in complete weeks. The minimum amount of leave that can be taken is 1 week and the maximum amount is 50 weeks.

Shared Parental Leave must end no later than one year after the birth/placement of the child. Any Shared Parental Leave not taken by the first birthday or first anniversary of placement for adoption will be lost.

The amount of Shared Parental Leave to which an individual is entitled will depend on when the mother/adopter brings the maternity/adoption leave period to an end and the amount of leave that the other parent takes in respect of the child.

Shared Parental Leave may start as follows:

- After the mother has taken 2 weeks of compulsory maternity immediately following the birth of the child
- After the adopter had taken at least two weeks of adoption leave
- The father/partner/spouse can take Shared Parental Leave immediately following the birth/placement of the child, but may first choose to exhaust any paternity leave entitlements. It should be noted that once Shared Parental Leave/pay has been taken an Employee cannot take paternity leave.

Where the mother/adopter has given notice that they intend to give up some of their total maternity/adoption leave entitlement - Shared Parental Leave may be taken by the partner concurrently with the maternity/adoption leave taken by the mother /adopter.

8 Notification

An employee must give the Headteacher/Principal/Line Manager notification of their entitlement and intention to take to Shared Parental Leave at least eight weeks before the period of leave commences.

Notification must be in writing and should include:

Where the employee requesting Shared Parental Leave is the **mother/adopter**:

- The name of the employee
- The name of the other parent / partner
- The child's expected week of birth (or the actual date of birth if the baby has already been born) or the date of placement
- The start and end dates of any maternity/adoption leave or pay

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- The total amount of Shared Parental Leave that the employee and their partner is eligible to take
- The total amount of Shared Parental Leave the employee and their partner intend to take
- An indication of when the Employee intends to take Shared Parental Leave

Where the employee requesting Shared Parental Leave is the **mother/adopter** they must provide a signed declaration that:

- They have been working for the trust for 26 weeks by the end of the 15th week before the baby's due date/adoption date
- They will have the main caring responsibility for the baby
- That they are entitled to statutory maternity leave
- They will return from maternity leave early in order to access Shared Parental Leave provisions
- The information they have provided regarding their and their partner's entitlement is accurate
- They will inform you should their circumstances change and cease to be entitled to Shared Parental Leave and will inform the school should circumstances change

Where the employee requesting Shared Parental Leave is the **mother/adopter** they must provide a signed declaration from their partner which states:

- Their name, address and national insurance number
- Provides confirmation that they are the father or the child or partner of the mother/adopter
- That they meet the criteria for the employment earnings test
- That at the time of the birth or placement for adoption – they share the responsibility for the birth of the child
- They consent to the employee taking the intended Shared Parental Leave
- They consent to the Academy processing the information contained within their declaration

Where the Employee requesting Shared Parental Leave is the **partner** of the mother/ adopter the following information must be provided with the notification:

- The name of the employee
- The name of the other parent/partner
- The start and end dates of any maternity/adoption leave or pay taken by the mother /adopted
- The child's expected week of birth (or the actual date of birth if the baby has already been born) or the date of placement
- The total amount of Shared Parental Leave that the Employee and their partner is eligible to take
- The total amount of Shared Parental Leave the Employee and their partner intend to take
- An indication of when the Employee intends to take Shared Parental Leave

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Where the employee requesting Shared Parental Leave is the **partner** of the mother / adopter they must also provide a signed declaration that:

- They have been working for the Trust for 26 weeks by the end of the 15th week before the baby's due date/ adoption date
- They will have the main caring responsibility for the baby (along with the mother / adopter)
- They are the father of the child or spouse, civil partner or partner of the mother
- They will inform the Academy should the mother withdraw their notice to end their maternity /adoption leave and cancel Shared Parental Leave arrangements.
- The information they have provided regarding their and their partner's entitlement is accurate.
- They will inform you should their circumstances change and cease to be entitled to Shared Parental Leave

The employee should also provide a signed declaration from the mother/adopter which states:

- Their name, address and national insurance number
- That they meet the criteria for the employment earnings test
- That they are entitled to statutory maternity/adoption leave, SMP/SAT or maternity allowance
- They will have the main caring responsibility for the child
- They have or will end their statutory maternity / adoption leave and SMP/SAP by returning to work or by giving notice of ending their leave
- They will inform the partner immediately if they choose to withdraw their notice to end their maternity /adoption leave and pay
- They consent to sharing parental leave with their partner
- They consent to the Academy processing the information contained within their declaration

Any notification of Shared Parental Leave is in addition to the requirement to notify the Trust separately of the intention to take maternity/adoption leave and pay. Please refer to the Trust's maternity and adoption procedures for further information.

9 Evidence of Eligibility

Within 14 days of the Trust being notified that the employee intends to take Shared Parental Leave, the Headteacher/Principal/Line Manager may request the following evidence of the employee's eligibility:

- The name and business address of the 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

The employee must produce this information within 14 days of the Trust's request.

10 Requesting Shared Parental Leave

Where an employee is considering taking Shared Parental Leave, they are encouraged to discuss this with their Headteacher/Principal/Line Manager at the earliest opportunity.

An employee must give a minimum of 8 weeks formal written notice of their wish to take the specific period(s) of leave required. This notice to may be provided at the same time as the notice of entitlement to Shared Parental Leave.

The employee has the right to submit three notifications specifying leave periods they are intending to take.

Leave may be requested on with a continuous or discontinuous basis.

Continuous leave notifications

An employee may request a period of continuous leave. This means a notification of a number of weeks taken in a single unbroken period of leave (for example, six weeks in a row).

An employee has the right to take a continuous block of leave notified in a single notification, so long as it does not exceed the total number of weeks of Shared Parental Leave available to them and the Trust has been given at least eight weeks' notice.

Providing all notification and entitlement criteria have been met- a request for continuous leave cannot be refused.

An employee may submit up to three separate notifications for continuous periods of leave.

Discontinuous leave notifications

An employee may request 2 or more periods of discontinuous leave. This means asking for a set number of weeks of leave over a period of time, with breaks between the leave where the employee returns to work (for example, an arrangement where an employee will take six weeks of Shared Parental Leave and work every other week for a period of three months).

The Trust will carefully consider discontinuous leave notifications but has the right to decline requests where this may have an undue adverse impact on the operation of the school or their colleagues.

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 Shared Parental Leave.

Where it is not possible to accommodate a request for discontinuous leave in full – the school may partially grant the request or propose a modified pattern of work for the employee to consider.

Where the requested leave pattern is refused, the employee can either withdraw the request

within 15 days of giving it, or can determine that they will take the leave in a single continuous block.

11 Responding to a Shared Parental Leave Notification

The Headteacher/Principal/ Line Manager will respond to the Employees request for Shared Parental Leave in writing within 14 days.

12 Meeting to discuss a Shared Parental Leave request

In reaching a decision, it may be of benefit for the Headteacher/Principal and employee to meet to discuss the request in further detail. This meeting may include a discussion of the impact of the proposed leave, how these may be mitigated and any alternative arrangements that could be considered.

Where the Headteacher/Principal is in agreement to the request – a meeting is not necessary.

An employee may be accompanied by a workplace colleague or trade union representative during discussions with the Headteacher about their request.

13 Variations to Shared Parental Leave Arrangements

The employee may vary or cancel an agreed period of Shared Parental Leave, provided that they advise the Trust in writing at least eight weeks before the date of any variation. Any new start date cannot be sooner than eight weeks from the date of the variation request.

Any variation or cancellation notification made by the employee, including notice to return to work early, will usually count as a new notification reducing the employee's right to book/vary leave by one.

However, a change as a result of a child being born early, or as a result of the Trust requesting it be changed, and the employee being agreeable to the change, will not count as further notification. Any variation will be confirmed in writing by the Trust.

14 Statutory Shared Parental Pay (ShPP).

Eligible employees may be entitled to receive up to 37 weeks statutory Shared Parental Pay (ShPP). This payment will be shared with their partner.

This is paid at the same rate as statutory maternity/adoption or 90% of average weekly earnings whichever is the lowest.

The number of weeks available will depend on the amount by which the mother/adopter reduces their maternity/adoption pay period.

Shared Parental Pay may be payable during some or all of Shared Parental Leave, depending on the length and timing of the leave.

In addition to meeting the eligibility requirements for Shared Parental Leave, an employee seeking to claim ShPP must further satisfy each of the following criteria:

- The mother/adopter must be/have been entitled to statutory maternity/adoption pay or maternity allowance and must have reduced their maternity/adoption pay period or maternity allowance period.
- The employee must intend to care for the child during the week(s) in which ShPP is payable.
- The employee must pass the 'employment and earnings' test - having average weekly earnings for the period of eight weeks leading up to and including the 15th week before the child's expected due date/matching date are not less than the lower earnings limit in force for national insurance contributions.
- The Employee must pass the 'continuity test' – having a minimum of 26 weeks' service at the end of the 15th week before the child's expected due date/matching date.

Please note entitlement to enhanced contractual maternity pay and contractual adoption pay will cease at the date Shared Parental Leave commences. Employees are therefore advised to consider the financial implications of this in relation to their own circumstances.

15 Deductions from Shared Parental Pay

Shared Parental Leave is subject to PAYE tax, National Insurance and Pensions contributions as well as any other normal voluntary deductions.

Where an employee has a period of unpaid leave it is possible that they may be eligible for a tax refund at the end of the tax year, or may pay lower PAYE for the initial period after return to work.

16 Annual Leave

Annual Leave and Bank Holiday leave entitlement continues to accrue during any period of Shared Parental Leave. This is accrued on a pro rata basis for part time and term time only employees.

Annual leave and bank holiday entitlement should, wherever possible, be used in the leave in which it is due. Any leave should be taken with the agreement of the Headteacher/Principal / Line Manager. It is often most convenient for the employee and the school for leave to be taken immediately before or at the end of maternity leave. However, where this is not practicable – leave may be carried forward to the following leave year.

Where an employee does not return after maternity leave – annual leave is accrued up to the final date of employment.

Term Time Only Employees

In instances where an employee is contracted term time only, leave is expected to be taken during the school closure periods when the employee does not work. A pro rata payment in respect of annual leave and bank holidays is included within the salary. The entitlement to

annual leave will usually be off-set against any non-working periods falling before or after the Employee's period of shared parental leave. However, if due to the timing of leave the entitlement to annual leave is not fully met – an employee may be to take this leave during term time following their return to work with the agreement of the Headteacher/Principal / Line Manager.

Teachers

Teachers are entitled to 28 days (pro rata) statutory annual leave. This is usually taken during the period outside of term time when a teacher is not expected to attend work.

This entitlement will be off set against any non-working periods falling before or after the employee's period of shared parental leave. However, if due to the timing of leave the entitlement to annual leave is not fully met – an employee may be to take this leave during term time following their return to work with the agreement of the Head teacher / Line Manager.

17 Pension Contributions

Pension contributions will continue to be made during any period when the employee is receiving ShPP but not during any period of unpaid Shared Parental Leave.

18 Contact during Shared Parental Leave

During Shared Parental Leave it is often helpful for the employee and Trust to maintain contact. Before starting leave it is advisable for the employee and Headteacher / Line Manager to discuss and agree preferred means of contact.

The Trust may make reasonable contact with an employee during Shared Parental Leave. This may be to update the employee on significant changes in the workplace, make them aware of job/promotion opportunities or to discuss plans regarding a return to work.

No contact may be made during the 2-week period immediately following the birth of the baby.

19 Shared Parental Leave Keeping in Touch Days

An Employee may work up to 20 'Shared Parental Leave in Touch Days' (SPLIT Days) during their leave. These are intended to help the Employee keep up to date with the work environment, attend training and development activities or to help prepare for return from leave.

The employee and Headteacher/Principal / line manager should discuss and mutually agree appropriate SPLIT Days. There is no expectation for the Headteacher/Principal / line manager to offer work during adoption leave or for the employee to accept any request to work.

- SPLIT days may be paid without affecting statutory Shared Parental Leave and Pay. Any hours undertaken for SPLIT days will be paid at the standard hourly rate (inclusive of any recurring allowances). This will be paid in addition to any statutory or contractual Shared Parental Leave pay that you are due to receive.



- If an employee works a SPLIT day in the unpaid part of leave, they will receive payment for the hours worked.
- Working / attending SPLIT days does not extend the duration of the period of Shared Parental Leave.
- Any SPLIT days are in addition to an employee's entitlement to KIT days granted under the Maternity and Adoption provisions.
- Working for any part of a day will count as one SPLIT Day.

20 Returning to Work

Prior to commencing Shared Parental Leave the date it is agreed that the employee will return to work will be confirmed in writing by the Trust.

The employee is expected to return on this date, unless they notify the Trust otherwise.

If they are unable to attend work due to sickness or injury, the Academy's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

21 The Right to Return

On returning to work after Shared Parental Leave, the employee is entitled to return to the same job if the employee's aggregate total statutory maternity/paternity/adoption leave and Shared Parental Leave amounts to 26 weeks or less, they will return to the same job. The same job is the one they occupied immediately before commencing maternity/paternity/adoption leave and the most recent period of Shared Parental Leave, on the same terms and conditions of employment as if they had not been absent.

If their maternity/paternity/adoption leave and Shared Parental Leave amounts to 26 weeks or more in aggregate, the employee is entitled to return to the same job they held before commencing the last period of leave or, if this is not reasonably practicable, to another job which is both suitable and appropriate and on terms and conditions no less favourable.

22 Returning to Work Early

If the employee wishes to return to work earlier than the expected return date, they may provide a written notice to vary the leave and must give the Trust at least eight weeks' notice of their date of early return. This will count as one of the employee's notifications. If they have already used their three notifications to book and/or vary leave then the Trust does not have to accept the notice to return early but may do if it is considered to be reasonably practicable to do so.

Should an employee fail to give the required notice the Headteacher/Principal / Line Manager may postpone the date of return until the required notice has been served.

An employee may return to work during a school closure period – subject to giving the required notice.



23 Requests to change working hours

An employee may make a flexible working request to alter their pattern / hours of work at the point of return from Shared Parental Leave.

The Headteacher/Principal/ Line Manager will give careful consideration to any request. Should the request not be accommodated, the business reasons for this will be explained to the employee.

Please refer to the Trust's Flexible Working Policy and Procedure for further details.

24 Leaving Employment

Should an employee determine after careful consideration that they no longer wish to return to work following the end of a period of Shared Parental Leave, they should formally resign in writing giving the required contractual notice.

Should an employee return to work and then decide to resign, they must give the appropriate contractual notice.

If an employee leaves employment before completing 13 weeks service upon return from Leave and has received payment of the 12 weeks half pay, this must be immediately repaid.

25 Suspected Fraudulent Claims

Where it is suspected that fraudulent information may have been provided or where the Academy is informed by the HMRC that a fraudulent claim has been made, this may be addressed through the Academy's Disciplinary Procedure

26 Changing Employers Prior to Shared Parental Leave

Changing employers prior to taking shared parental leave may affect the employee's entitlement to shared parental leave benefits. Employees are advised to discuss their individual entitlements with their new employer.

Equality Statement and Assessment

We are committed to being an inclusive employer enabling all staff to feel a sense of belonging. We commit to ensuring our policies are inclusive by nature, are of benefit, accessible and understood by all staff. As a minimum we ensure our policies and practices comply with the Equality Act 2010 but we are committed to go beyond our minimum requirement of equality legislation. Our policies aim to reduce and remove inequalities and barriers and create opportunities to maximise positive impacts on our staff, fostering greater social cohesion and greater participation in public life. Through our actions we recognise, appreciate and value difference treating everyone fairly and seeking to embed a culture of equality, diversity and inclusion across our Trust which delivers the best outcomes for the diverse society in which and for whom we work. We are committed to undertake an equality impact assessment on all appropriate policies.



Appendix 1:

Shared Parental Leave forms (Maternity)

Template forms for the mother or birth parent and their partner to confirm Shared Parental Leave (SPL) and Shared Parental Pay (ShPP) entitlement with their employers.

Forms below that need to be completed if...			
	both parents want to take SPL	just the mother or birth parent wants to take SPL	just the partner wants to take SPL
Form 1	Yes	Yes	Yes
Form 2	Yes	Yes	No
Form 3	No	No	Yes
Form 4	Yes	No	Yes

- See advice on SPL and ShPP at www.acas.org.uk/spl
- Parents can use the calculator at www.gov.uk/pay-leave-for-parents
- Parents and employers should keep a copy of any completed forms.
- Employers might have their own SPL forms for employees to use.
- If the mother or birth parent is getting Maternity Allowance (MA), they need to notify Jobcentre Plus to curtail this entitlement.

Abbreviations used in these forms:

SPL Shared Parental Leave
ShPP Statutory Shared Parental Pay
SMP Statutory Maternity Pay
MA Maternity Allowance



Form 1: Curtailment of maternity leave and pay (for mother or birth parent's employer – must be completed by mother or birth parent)

SECTION A: General (must be completed)	
Please accept this as my notice to curtail my maternity leave and/or Statutory Maternity Pay (SMP). This form is accompanied by notification that either I or my partner intend to take SPL and/or ShPP.	
I understand my maternity leave will end on the date given in Section B and my SMP will end on the date given in Section C. I understand that I can only reinstate my maternity leave if I revoke this notice before the curtailment date given in Section B.	
I understand that I can only reinstate any SMP that I am eligible for if I revoke this notice before the end date given in Section C.	
Mother or birth parent's last name	
Mother or birth parent's first name(s)	
Expected date of child's birth	
Actual date of child's birth (if born)	
SECTION B: Curtailing maternity leave (must be completed)	
Start date of statutory maternity leave	
End date of statutory maternity leave	
Total number of weeks of statutory maternity leave taken by the date statutory maternity leave ends	
SECTION C: Curtailing statutory maternity pay (SMP) (only if claiming ShPP)	
Start date of SMP	
End date of SMP	
Total number of weeks of SMP paid by date SMP ends	
SECTION D: Signature (must be completed)	
Signature of mother or birth parent	
Date signed	



Form 2: Notification that mother or birth parent is intending to take SPL (for their employer)

SECTION A:	
General (must be completed)	
Please accept this as notification that I (the mother or birth parent) am entitled to and intend to take SPL (and ShPP if section C is completed).	
Mother or birth parent's last name	
Mother or birth parent's first name(s)	
Partner's last name	
Partner's first name(s)	
Partner's address	
Partner's National Insurance number (put 'none' if no number is held)	
Expected date of child's birth	
Actual date of child's birth (if child not yet born, provide this as soon as possible after the birth and before taking SPL)	
SECTION B:	
Maternity entitlement details (all answers that apply must be completed)	
Start date of statutory maternity leave	
End date of statutory maternity leave	
Total number of weeks of statutory maternity leave that will have been taken at the date statutory maternity leave ends	
Start date of SMP or MA	
End date of SMP or MA	
Total number of weeks SMP or MA has been paid or will have been paid at date of curtailment	
Total number of weeks by which SMP or MA will be reduced (39 weeks less total number of weeks SMP or MA has been paid or will have been paid at date of curtailment)	
SECTION C:	
Amount of SPL available (must be completed)	
Total number of weeks of SPL created (52 weeks less total number of maternity weeks taken and any SPL from a previous notice and revocation)	
Total number of weeks of SPL I (the mother or birth parent) intend to take	
Total number of weeks of SPL my partner intends to	

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SECTION D: Mother or birth parent's leave plans (must be completed but is not binding)	
I (the mother or birth parent) currently expect to take SPL as follows:	
[Note: It can help to answer this as 'from...to...']	
SECTION E: Amount of ShPP available (only if claiming ShPP)	
Total number of weeks of ShPP created (39 weeks less total number of SMP taken and any ShPP paid from a previous notice and revocation)	
Total number of weeks of ShPP I (the mother or birth parent) intend to take	
Total number of weeks of ShPP my partner intends to take	
I (the mother or birth parent) currently expect to take ShPP as follows:	
[Note: It can help to answer this as 'from...to...']	
SECTION F: Mother or birth parent's declaration (must be completed)	
The following points apply in all circumstances where a mother or birth parent is entitled to maternity leave:	
<ul style="list-style-type: none"> • I am giving notice that I am entitled to and intend to take SPL • I have, or will have, been continuously employed for 26 weeks at the end of the 15th week before the week in which the child is due • I will remain employed with this employer until any period of SPL that I intend to take • I had (or will have) the main responsibility for the care of the child at the time of the child's birth (along with my partner who has made the declaration below) • I am entitled to maternity leave; my maternity leave period is reduced and the remaining weeks are now available as SPL • I will inform my employer immediately if I am no longer caring for my child • I will give my employer a copy of my child's birth certificate or a declaration of the date and place of the birth where no certificate is available if my employer asks for this within 14 days of the date of this notice • I will give my employer the name and address of my partner's employer or a declaration that they do not have an employer if my employer asks for this within 14 days of the date of this notice • The information provided in this declaration is accurate and meets the notification requirements for SPL 	
The following points only apply if Section E has been completed:	
<ul style="list-style-type: none"> • I am giving notice that I am entitled to and intend to take ShPP • I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the 15th week before the expected week of childbirth • I am entitled to SMP in respect of the birth of our child, my maternity pay period is 	



<p>reduced and the period that remains is available as ShPP</p> <ul style="list-style-type: none"> • I will be absent from work in each week in which I will be paid ShPP and I will be on SPL in those weeks (if entitled to SPL) • I intend to care for my child in the weeks I receive ShPP • I will remain employed with this employer until before the date of my first period of ShPP • I will immediately inform the person who will be paying ShPP if I revoke the curtailment of my SMP or MA • The information provided in this declaration is accurate 	
Signature of mother or birth parent	
Date signed	
<p>SECTION G: Partner's declaration (must be completed)</p>	
<ul style="list-style-type: none"> • I am the father of the child, or at the date of the birth I was (or will be) the mother or birth parent's spouse, the mother or birth parent's civil partner and/or the mother or birth parent's partner living with her and the child in an enduring relationship • I had (or will have) the main responsibility for the care of our child at the time of the birth (along with the child's mother or birth parent) • I have been (or will have been) employed or self-employed in England, Scotland or Wales in 26 weeks of the 66 weeks before the expected week of birth • I have (or will have) earned in total at least £... in 13 weeks of the 66 weeks before the expected week of childbirth • I consent to the amount of SPL which the mother or birth parent intends to take, as set out in Section D above. • I consent to the mother or birth parent's employer processing the information I have provided • I consent to the amount of ShPP which the mother or birth parent intends to take, as set out in Section E above. • The information provided in this declaration is accurate 	
Signature of partner	
Date signed	



Form 3: Notice confirming that partner is taking SPL but mother or birth parent is not (for mother or birth parent's employer)

SECTION A: General (must be completed)	
Please accept this as notification that I (the mother or birth parent) do not intend to take SPL (or ShPP where relevant) but that my partner will be.	
Mother or birth parent's last name	
Mother or birth parent's first name(s)	
SECTION B: Confirmation	
<ul style="list-style-type: none">• I am either not entitled to SPL (or ShPP, where relevant), or I do not intend to take SPL (or claim ShPP, where relevant)• I declare that my partner has given notice to their employer to take SPL and/or ShPP• I consent to my partner's claim for SPL and/or ShPP	
SECTION C: Signature (must be completed)	
Signature of mother or birth parent	
Date signed	



Form 4: Notification that partner is intending to take SPL (for partner's employer)

SECTION A:	
General (must be completed)	
Please accept this as notification that I (the partner) am entitled to and intend to take SPL (and ShPP if section C is completed).	
Partner's last name	
Partner's first name(s)	
Mother or birth parent's surname	
Mother or birth parent's first name(s)	
Mother or birth parent's address	
Mother or birth parent's National Insurance number (put 'none' if no number is held)	
Expected date of child's birth	
Actual date of child's birth (if child not yet born, I will provide this information as soon as reasonably practicable following birth and before I take any SPL)	
SECTION B:	
Maternity entitlement details (all answers that apply must be completed)	
Start date of mother or birth parent's maternity leave (if applicable)	
End date of mother or birth parent's maternity leave (if applicable)	
Total number of weeks of maternity leave taken (or that will be taken) when maternity leave ends	
Start date of SMP or MA (if applicable)	
End date of SMP or MA (if applicable)	
Total number of weeks SMP or MA has been paid or will have been paid at date of curtailment	
Total number of weeks SMP or MA will be reduced by (39 weeks less total number of weeks SMP or MA has been paid or will have been paid at date of curtailment)	



SECTION C:	
Amount of SPL available (must be completed)	
<p>The total number of weeks of SPL created depends on the mother or birth parent's leave and pay entitlements.</p> <ul style="list-style-type: none"> • If the birth mother or birth parent was/is entitled to maternity leave and SMP/MA, the total created will be 52 weeks less any week's maternity leave taken • If the mother or birth parent was/is entitled to maternity leave but not to SMP or MA, the total created will be 52 weeks less any week's maternity leave taken • If the mother or birth parent was/is not entitled to maternity leave but was entitled to SMP/MA, the total created will be 52 weeks less any weeks of SMP/MA that was paid • If the mother or birth parent previously revoked her curtailment notice any SPL that was taken by the partner must be deducted 	
Total number of weeks of SPL created (50 max)	
Total number of weeks of SPL I (the partner) intend to take	
Total number of weeks of SPL the mother or birth parent intends to take (if applicable)	
SECTION D:	
Partner's leave plans (must be completed but is not binding)	
I (the partner) currently expect to take SPL as follows:	
[Note: It can help to answer this as 'from...to...']	
SECTION E:	
Amount of ShPP available (only if claiming ShPP)	
Total number of weeks of ShPP created (39 weeks less total number of SMP/MA taken and any ShPP paid from a previous notice and revocation)	
Total number of weeks of ShPP I (the partner) intend to take	
Total number of weeks of ShPP the mother or birth parent intends to take	
I (the partner) currently expect to take ShPP as follows:	
[Note: It can help to answer this as 'from...to...']	



SECTION F:	
Partner's declaration (must be completed)	
The following points apply in all circumstances:	
<ul style="list-style-type: none"> • I am giving notice that I am entitled to and intend to take SPL • I am the father of the child, or at the time of the birth I was (or will be) the mother or birth parent's spouse, civil partner and/or partner living with them and the child in an enduring relationship • I have been (or will be) continuously employed for 26 weeks at the end of the 15th week before the week in which the child is due • I will remain employed with this employer until any period of SPL that I intend to take • I had (or will have) shared responsibility for the care of our child at the time of the child's birth (along with the child's mother or birth parent who has made the declaration below) • I will give my employer a copy of my child's birth certificate or a declaration of the date and place of the birth where no certificate is available if my employer asks for this within 14 days of the date of this notice • I will give my employer the name and address of the mother or birth parent's employer or a declaration that they do not have an employer if my employer asks for this within 14 days of the date of this notice • I will inform my employer immediately if I am no longer caring for our child or if my partner revokes their notice to curtail her maternity leave or SMP/MA period • The information provided in this declaration is accurate and meets the notification requirements for SPL 	
The following points only apply if Section E has been completed:	
<ul style="list-style-type: none"> • I am giving notice that I am entitled to and intend to take ShPP • I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the 15th week before the expected week of childbirth • I intend to care for my child in the weeks I receive ShPP • I will be absent from work in each week in which I will be paid ShPP and I will be on SPL in those weeks (if entitled to SPL) • I will remain employed with this employer until before the date of my first period of ShPP • The information provided in this declaration is correct 	
Signature of partner	
Date partner signed	



SECTION G:

Mother or birth parent's declaration (must be completed)

The following points apply in all circumstances:

- I had (or will have) the main responsibility for the care of the child at the time of the birth (along with my partner who has made the declaration above)
- I am entitled to maternity leave and/or SMP or MA in respect of the child and I have curtailed (or will curtail) my entitlement to maternity leave (or I have returned to work) and/or my entitlement to SMP or MA.
- I have, or will have, been employed or self-employed in England, Scotland or Wales in 26 weeks of the 66 weeks before the expected week of childbirth
- I have (or will have) earned in total at least £... in 13 weeks of the 66 weeks before the expected week of birth
- I will immediately inform my partner if I revoke my notice to curtail my maternity leave or, if I am not entitled to maternity leave, my SMP or MA entitlement
- I consent to my partner's intended SPL as set out in Section D above
- I consent to my partner's employer processing the information I have provided
- The information provided in this declaration is accurate and meets the notification requirements for SPL

The following points only apply if Section E has been completed:

- I am entitled to SMP or MA, and I have reduced (or will reduce) the SMP or MA period and the remainder will be available as ShPP
- I consent to my partner's intended ShPP as set out in Section E above
- I will immediately inform my partner if I revoke the reduction of my SMP or MA
- I consent to the person who will pay ShPP to my partner or the child's father processing the information I have provided
- The information provided in this declaration is correct

Signature

Date signed

Appendix 2:

Shared Parental Leave forms (Adoption)

Template forms for the primary adopter who's taken adoption leave and/or pay and their partner to confirm entitlement to Shared Parental Leave (SPL) or Shared Parental Pay (ShPP) with their employers.

Forms below that need to be completed if...			
	both parents want to take SPL	just the primary adopter wants to take SPL	just the partner wants to take SPL
Form 1	Yes	Yes	Yes
Form 2	Yes	Yes	No
Form 3	No	No	Yes
Form 4	Yes	No	Yes

- Find advice on SPL and ShPP at www.acas.org.uk/spl
- Parents can use the calculator at www.gov.uk/pay-leave-for-parents
- Parents and employers should keep copies of any completed forms
- Employers might have their own forms for employees to use.

Key abbreviations used in these forms:

SPL Shared Parental Leave
 ShPP Statutory Shared Parental Pay
 SAP Statutory Adoption Pay



Form 1: Curtailment of adoption leave and pay (for primary adopter's employer)

SECTION A:	
General (must be completed)	
Please accept this as my notice to curtail my adoption leave and/ or SAP. This form is accompanied by a notification that either I or my partner intend to take SPL and/or ShPP. I understand my adoption leave will end on the date given in section B and my SAP will end on the date given in section C, unless my notice is revoked or there's no entitlement.	
Primary adopter's last name	
Primary adopter's first name(s)	
Expected date of child's placement	
Actual date of child's placement (if known)	
SECTION B:	
Curtailing adoption leave (must be completed)	
Statutory adoption leave start date	
Date statutory adoption leave will come to an end	
Total number of weeks of statutory adoption leave taken by the date statutory adoption leave ends	
SECTION C:	
Curtailing adoption pay (only if claiming ShPP)	
SAP start date	
SAP end date	
Total number of weeks SAP paid by the date SAP ends	
SECTION D:	
Signature (must be completed)	
Signature of adopter	
Date signed	

Form 2: Notification that primary adopter is intending to take SPL (for their employer)

SECTION A:	
General (must be completed)	
Please accept this as notification that I (the primary adopter taking adoption leave/pay) am entitled to and intend to take SPL (and ShPP if section C is completed).	
Primary adopter's last name	
Primary adopter's first name(s)	
Partner's last name	
Partner's first name(s)	
Partner's address	
Partner's National Insurance number (put 'none' if no number is held)	
Date adopter was informed of being matched for adoption	
Expected date of child's placement	
Actual date of child's placement (if child not yet placed provide this as soon as possible after placement and before SPL)	
SECTION B:	
Adoption entitlement details (all answers that apply must be completed)	
Start date of statutory adoption leave	
End date of statutory adoption leave	
Total number of weeks of statutory adoption leave that will have been taken at the date that statutory adoption leave ends	
Start date of SAP	
End date of SAP	
Total number of weeks SAP has been paid or will have been paid at date of curtailment	
Total number of weeks by which SAP will be reduced (39 weeks less total number of weeks SAP has been paid or will have been paid at date of curtailment)	
SECTION C:	
Amount of SPL available (must be completed)	
Total number of weeks of SPL created (52 weeks less total number of weeks of adoption leave taken)	
Total number of weeks of SPL I (the primary adopter)	

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intend to take	
Total number of weeks of SPL partner intends to take	
SECTION D: Primary adopter's leave plans (must be completed but is not binding)	
I (the adopter) currently expect to take SPL as follows:	
[Note: It can help to answer this as 'from...to...']	
SECTION E: Amount of ShPP available (only if claiming ShPP)	
Total number of weeks of ShPP created (39 weeks less total number of weeks SAP taken and any ShPP paid from a previous notice and revocation)	
Total number of weeks of ShPP I (the primary adopter) intend to take	
Total number of weeks of ShPP partner intends to take	
I (the primary adopter) currently expect to take ShPP as follows:	
[Note: It can help to answer this as 'from...to...']	
SECTION F: Adopter's declaration (must be completed if primary adopter is entitled to adoption leave)	
The following points apply in all circumstances:	
<ul style="list-style-type: none"> • I am giving notice that I am entitled to and intend to take SPL • I have been continuously employed for 26 weeks at the end of the week in which I (the adopter) was notified of having been matched for adoption • I will remain employed with this employer until any period of SPL that I intend to take • I had (or will have) the main responsibility for the care of the child at the time of the child's placement (along with my partner who has made the declaration below) and I intend to care for the child during each week of SPL • I am entitled to adoption leave in respect of the child, my adoption leave period is reduced and will be available as SPL • I will inform my employer immediately if I am no longer responsible for the care of the child • if my employer asks within 14 days of the date of this notice, I will give my employer evidence, in the form of one or more documents issued by the adoption agency that matched me with the child, of (i) the name and address of the adoption agency; (ii) the date that I was notified of having been matched for adoption with the child; and (iii) the date the adoption agency expects to place the child with me • I will give my employer the name and address of my partner's employer or a declaration that they do not have an employer if my employer asks for this within 14 days of the date of this notice • The information provided in this declaration is accurate 	
The following points only apply if section E is completed:	



- I am giving notice that I am entitled to and intend to take ShPP
- I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the week in which I (the adopter) was notified of having been matched for adoption with the child
- I am entitled to SAP in respect of the child placed with me, my adoption pay period is reduced and the period that remains is available as ShPP
- I will be absent from work in each week in which I will be paid ShPP and, if I am entitled to it, I will be on SPL in those weeks
- I intend to care for my child and to be absent from work in the weeks I receive ShPP and if I am an employee I will be on SPL in those weeks
- I will remain employed with this employer until before the date of my first period of ShPP
- I will immediately inform the person who pays ShPP if I revoke curtailment of my SAP
- The information provided in this declaration is accurate

Signature of primary adopter	
Date signed	

**SECTION G:
Partner's declaration (must be completed)**

- I am the primary adopter's spouse, civil partner or partner living with them and the child in an enduring relationship
- I had (or will have) shared responsibility for the child at the time of the placement (along with the primary adopter)
- I have been employed or self-employed in England, Scotland or Wales in 26 weeks of the 66 weeks preceding the week in which we were notified of being matched for adoption with the child
- I have earned in total at least £... in 13 weeks of the 66 weeks preceding the week in which the adopter was notified of having been matched for adoption with the child
- I consent to the amount of SPL the primary adopter intends to take, in section D above
- I consent to the primary adopter's employer processing the information I have provided
- I consent to the amount of ShPP the primary adopter intends to take, in section E above
- The information provided in this declaration is accurate

Signature of partner	
Date signed	



Form 3: Notice confirming partner is taking SPL but primary adopter is not (for primary adopter's employer)

SECTION A: General (must be completed)	
Please accept this as notification that I (the primary adopter) do not intend to take SPL (or ShPP where relevant) but that my partner will be.	
Primary adopter's last name	
Primary adopter's first name(s)	
SECTION B: Confirmation	
<ul style="list-style-type: none">• I am either not entitled to SPL (or ShPP where relevant), or I do not intend to take SPL (or claim ShPP, where relevant)• I declare that my partner has given notice to their employer to take SPL and/or ShPP• I consent to my partner's intended claim for SPL and/or ShPP	
Signature (must be completed)	
Signature of primary adopter	
Date signed	

Form 4: Notification that partner is intending to take SPL (for partner's employer)

SECTION A:	
General (must be completed)	
Please accept this as notification that I (the primary adopter's partner) am entitled to and intend to take SPL (and ShPP if section C is completed).	
Partner's last name	
Partner's first name(s)	
Primary adopter's last name	
Primary adopter's first name(s)	
Primary adopter's address	
Primary adopter's National Insurance number (put 'none' if no number is held)	
Date informed of being matched for adoption	
Expected date of child's placement	
Actual date of child's placement (if child not yet placed, I will provide this information as soon as reasonably practicable following placement and before I take any SPL)	
SECTION B:	
Adoption entitlement details (all answers that apply must be completed)	
Start date of statutory adoption leave (if applicable)	
End date of statutory adoption leave (if applicable)	
Total number of weeks of statutory adoption leave taken (or that will be taken) when statutory adoption leave ends	
Start date of SAP (if applicable)	
End date of SAP (if applicable)	
Total number of weeks SAP has been paid or will have been paid at date of curtailment	
Total number of weeks by which SAP will be reduced (39 weeks less total number of weeks SAP has been paid or will have been paid at date of curtailment)	

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SECTION C:	
Amount of SPL available (must be completed)	
The total number of weeks of SPL created depends on the adopter's leave and pay entitlements:	
<ul style="list-style-type: none"> • If the adopter was/is entitled to adoption leave and SAP, the total created will be 52 weeks less any weeks of adoption leave taken • If the adopter was/is entitled to adoption leave but not to SAP, the total created will be 52 weeks less any week's adoption leave taken • If the adopter was/is not entitled to adoption leave but is entitled to SAP, the total created will be 52 weeks less any weeks of SAP taken 	
Total number of weeks of SPL created (50 max)	
Total number of weeks of SPL I (the partner) intend to take	
SECTION D:	
Partner's leave plans (must be completed but is not binding)	
I (the partner) currently expect to take SPL as follows:	
[Note: It can help to answer this as 'from...to...']	
SECTION E:	
Amount of ShPP available (only complete if claiming ShPP)	
Total number of weeks of ShPP created (39 weeks less total number of SAP taken and any ShPP paid from a previous notice and revocation)	
Total number of weeks of ShPP I (the partner) intend to take	
Total number of weeks of ShPP primary adopter intends to take	
I (the partner) currently expect to take ShPP as follows:	
[Note: It can help to answer this as 'from...to...']	

SECTION F:

Partner's declaration (must be completed)

The following points apply in all circumstances:

- I am giving notice that I am entitled to and intend to take SPL
- I am the adopter's spouse, the adopter's civil partner or the adopter's partner living with them and the child in an enduring relationship
- I have been continuously employed for 26 weeks at the end of the week in which the adopter was notified of having been matched for adoption
- I will remain employed with this employer until any period of SPL that I intend to take
- I had (or will have) shared responsibility for our child at the time of the child's placement (along with the primary adopter who has made the declaration below)
- If my employer asks within 14 days of the date of this notice, I will give my employer evidence, in the form of one or more documents issued by the adoption agency that matched the adopter with the child, of (i) the name and address of the adoption agency; (ii) the date that the adopter and/or I was notified of having been matched for adoption with the child; and (iii) the date on which the adoption agency expects to place the child with the adopter and/or me.
- I will give my employer the name and address of the adopter's employer or a declaration that they do not have an employer if my employer asks for this within 14 days of the date of this notice
- I will inform my employer immediately if I am no longer caring for our child
- The information provided in this declaration is accurate

The following points only apply if Section E has been completed:

- I am giving notice that I am entitled to and intend to take ShPP
- I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the week in which the adopter was notified of having been matched for adoption with the child
- I intend to care for my child and to be absent from work in the weeks I receive ShPP and if I am an employee I will be on SPL in those weeks
- I will remain employed with this employer until before the date of my first period of ShPP
- The information provided in this declaration is accurate

Signature of partner

Date signed

SECTION G:

Adopter's declaration (must be completed)

The following points apply in all circumstances:

- I had (or will have) shared responsibility for the child at the time of the placement of the child (along with my partner who has made the declaration above)
- I am entitled to adoption leave and/or SAP in respect of the child and I have curtailed (or will curtail) my entitlement to adoption leave (or I have returned to work) and/or my entitlement to SAP
- I have been employed or self-employed in England, Scotland or Wales in 26 weeks of the 66 weeks preceding the week in which the adopter was notified of having been matched for adoption with the child
- I have earned in total at least £... in 13 weeks of the 66 weeks preceding the week in which I (the adopter) was notified of having been matched for adoption with the child
- I consent to my partner's intended SPL as set out in section D above



- I consent to my partner's employer processing the information I have provided
- The information provided in this declaration is accurate and meets the notification requirements for SPL

The following points only apply if section E has been completed:

- I am entitled to SAP, and I have reduced (or will reduce) the SAP period and the remainder will be available as ShPP
- I consent to my partner's intended ShPP as set out in section E above
- I consent to the person who will pay ShPP to my partner processing the information I have provided
- I will immediately inform my partner if I revoke the curtailment of my SAP
- The information provided in this declaration is accurate

Signature of primary adopter	
Date signed	