# Maternity/Paternity/Adoption and Shared Parental Leave Policy

## DOCUMENT INFORMATION

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CONTENTS

1. INTRODUCTION ............................................................................................................................. I
2. EQUALITY STATEMENT ................................................................................................................... I
3. SCOPE ........................................................................................................................................... II
4. ACCESS TO THE POLICY ............................................................................................................... II
5. ROLES AND RESPONSIBILITIES .................................................................................................. II
6. MATERNITY AND ADOPTION LEAVE - PRINCIPLES .............................................................. III
7. WHEN PREGNANCY/ADOPTION IS CONFIRMED .................................................................... IV
8. ENTITLEMENT TO MATERNITY/ADOPTION LEAVE AND PAY .............................................. IV
9. AMOUNT OF PAY AND DURATION OF LEAVE ......................................................................... V
10. COMMENCEMENT AND NOTIFICATION OF LEAVE .............................................................. VI
11. CONFIRMING MATERNITY/ADOPTION LEAVE AND PAY ..................................................... VI
12. KEEPING IN TOUCH ................................................................................................................... VI
13. RETURNING TO WORK ............................................................................................................... VII
14. FAILURE TO RETURN TO WORK ............................................................................................... VIII
15. SICKNESS PRIOR TO CHILDBIRTH ........................................................................................... VIII
16. SICKNESS FOLLOWING THE END OF MATERNITY/ADOPTION LEAVE ................................. VIII
17. STILL BIRTH ............................................................................................................................... VIII
18. MISCARRIAGE ............................................................................................................................. IX
19. PRE-TERM BIRTH ....................................................................................................................... IX
20. DISRUPTED ADOPTION PLACEMENT ....................................................................................... IX
21. ANTEANATAL AND POSTNATAL CARE AND PRE-ADOPTION PLACEMENT MEETINGS... IX
22. ACCRUAL OF ANNUAL LEAVE .................................................................................................. X
23. PENSIONS .................................................................................................................................. X
24. FIXED-TERM CONTRACTS .......................................................................................................... X
25. STAFF ON TRAINING/DEGREE PROGRAMMES ....................................................................... X
26. INCREMENTS ............................................................................................................................ XI
27. MATERNITY SUPPORT (Paternity) LEAVE – PRINCIPLES ..................................................... XI
28. ELIGIBILITY TO MATERNITY SUPPORT (Paternity) LEAVE AND PAY ............................... XI
29. ADDITIONAL STATUTORY MATERNITY SUPPORT (Paternity) LEAVE AND PAY .......... XII
1. INTRODUCTION

1.1 As part of its commitment to improving the working lives of staff, South Central Ambulance Service NHS Foundation Trust, subsequently referred to as 'the Trust', accepts that from time to time, staff may need a period of leave to care for or to provide support to their families and dependents. This policy has been written to ensure that there is clarity around the time off that staff are entitled to and also to ensure that requests for time off are dealt with in a consistent, fair and transparent manner.

1.2 The Trust values of Teamwork, Caring, Professional and Innovation underpin everything we do to support our vision of saving lives and enabling patients to get the care they need. SCAS aims to nurture a healthy culture, based on all staff demonstrating their role-relevant values-based behaviours within their working lives. All staff are expected to model their behaviours to support SCAS with its strategic aims to become an Employer, Partner and Provider of Choice.

1.3 The purpose of this policy is to outline the arrangements for the implementation of each of the following leave rights within the Trust:

- Maternity Leave
- Adoption Leave
- Maternity Support (Paternity) Leave (for children due before 5 April 2015)
- Shared Parental Leave (for children due on or after 5 April 2015)

1.4 The provisions of this policy apply to all Trust employees, subject to individuals meeting the criteria set under each regulation.

1.5 Staff and managers should use the policy to assist with determining eligibility for any of the family leave available and the processes involved with the taking and payment of that leave.

1.6 This policy has been written in partnership by Management and staff side in accordance with the relevant employment law and ACAS guidelines.

2. EQUALITY STATEMENT

2.1 The Trust is committed to promoting positive measures that eliminate all forms of unlawful or unfair discrimination on the grounds of age, marital status, disability, race, nationality, gender, religion, sexual orientation, gender reassignment, ethnic or national origin, beliefs, domestic circumstances, social and employment status, political affiliation or trade union membership, HIV status or any other basis not justified by law or relevant to the requirements of the post.

2.2 By committing to a policy encouraging equality of opportunity and diversity, the Trust values differences between members of the community and within its existing workforce, and actively seeks to benefit from their differing skills, knowledge, and experiences in order to provide an exemplary healthcare service. The Trust is committed to promoting equality and diversity best practice both within the workforce and in any other area where it has influence.

2.3 The Trust will therefore take every possible step to ensure that this procedure is applied fairly to all employees regardless of race, ethnic or national origin, colour or nationality; gender (including marital status); age; disability; sexual orientation; religion or belief; length of service, whether full or part-time or employed under a permanent or a fixed-term contract or any other irrelevant factor.

2.4 Where there are barriers to understanding e.g. an employee has difficulty in reading or
writing or where English is not their first language additional support will be put in place wherever necessary to ensure that the process to be followed is understood and that the employee is not disadvantaged at any stage in the procedure. Further information on the support available can be sought from the Human Resource Department.

3. **SCOPE**

3.1 This policy applies to all staff employed by the Trust.

3.2 This policy does not apply to Bank workers, Agency Staff, Contractors, Honorary contract holders or volunteers.

4. **ACCESS TO THE POLICY**

4.1 All employees are entitled to access this policy which is available on the Trust's Intranet and external internet site. Any employee can seek guidance from line management, their trade union representative or the Human Resources Department in respect of the policy. Managers should also ensure that all staff are aware of where to source copies of the Policy.

4.2 Employees and Managers may also wish to consult related Trust policies such as the Flexible Working Policy and Annual Leave Policy.

5. **ROLES AND RESPONSIBILITIES**

5.1 **Employee Responsibilities**

5.1.1 Employees are responsible for ensuring that they are aware of and comply with this policy guidance.

5.1.2 Employees should inform their line manager as soon as possible of a request for any type of leave within the scope of this policy and should adhere to the relevant sections of the policy in order to make an application.

5.1.3 To provide any relevant documentation e.g. MatB1 form.

5.2 **Human Resources Department Responsibilities**

5.2.1 It is the responsibility of HR to provide advice, support and guidance to Managers on the application of this policy in relation to: Maternity, Paternity, Adoption Leave, Shared Parental Leave keeping the provisions within this policy in line with employment legislation, best practice people management principles and NHS Agenda for Change guidelines.

5.2.2 In conjunction with the line manager and the Scheduling Department, HR must ensure individuals are given timely and accurate information on entitlements to: Maternity, Paternity Adoption Leave and Shared Parental Leave.

5.3 **Managers' Responsibilities**

5.3.1 Ensure, in conjunction with the Human Resources and Scheduling Departments (where applicable), that the management and allocation of leave is carried out in accordance with this policy guidance and that the policy is available to all staff.

5.3.2 Managers are responsible for undertaking any necessary workplace risk assessments for their staff and to ensure that they keep in touch with staff who are on extended periods of family leave.
5.3.3 Managers are responsible for informing payroll of any changes by completion of the relevant ESR form.

5.3.4 Managers are responsible for responding to employees’ requests for leave in accordance with this policy guidance.

5.4 Scheduling Department Responsibilities

5.4.1 Ensure in conjunction with Managers and the Human Resources Department that the allocation of leave is carried out in accordance with this policy guidance.

5.4.2 Maintaining accurate leave records and ensuring that relief/bank/overtime shifts are allocated as appropriate to maintain operational/departmental cover.

5.5 Additional Responsibilities

5.5.1 Management and trade union representatives are responsible for bringing any mutually beneficial improvements to this policy to the attention of the Trust.

PART I

6. MATERNITY AND ADOPTION LEAVE - principles


6.2 This Trust policy seeks to provide clear guidelines and procedures to safeguard staff during pregnancy and explains the entitlements and rights of female employees to Maternity Leave and pay.

6.3 Maternity leave is an automatic contractual entitlement which applies to all women employed by the Trust and all applications for maternity leave will be granted in accordance with the guidelines set-out within this policy document.

6.4 Adoption leave and pay is provided to enable an employee who wishes to adopt to take a period of leave to help the child settle into the family and adjust to new circumstances and to enable an employee to take time off to facilitate the formal adoption process, in-line with the Adoption Leave and Adoption Pay regulations 2006 and other associated employment legislation. The Trust’s provisions mirror, as far as it practicable, the entitlements and conditions of the Maternity Scheme.

6.5 The right to 52 weeks Adoption Leave is available to employees who have been personally matched with a child or young person under the age of 18 for adoption.

6.6 The employee will qualify for Adoption Leave if they:

- are newly matched with a child for adoption by an approved agency;
- will have primary carer responsibilities for the child
- notify their line manager using the appropriate form within 7 days of being notified by an approved adoption agency that they have been newly matched to a child for adoption.
7. WHEN PREGNANCY/ADOPTION IS CONFIRMED

7.1 As soon as the member of staff is aware that she is pregnant (or an adoption placement is confirmed) they must notify their line manager and the Human Resources Department via their HR Department, this information will be kept confidential.

7.2 Under the Management of Health & Safety at Work (Amendment) Regulations 1994, the Trust is required to take into account the potential risk to the health and safety of new and expectant mothers at work. Managers and employees should refer to the Trust’s ‘New or Expectant Mothers’ policy for further guidance.

8. ENTITLEMENT TO MATERNITY/ADOPTION LEAVE AND PAY

8.1 An employee working full-time or part-time will be entitled to paid and unpaid maternity/adoption leave under the NHS contractual maternity/adoption pay scheme if:

i) they have 12 months’ continuous service (in accordance with paragraphs 15.61 to 15.65 of the Agenda for Change Terms and Conditions handbook) with one or more NHS employers at the beginning of the 11th week before the expected week of childbirth or by the 11th week before placement;

and

ii) MATERNITY

they notify the Trust of the following in writing before the end of the 15th week before the expected date of childbirth (or if this is not possible, as soon as is reasonably practicable thereafter):

NB: It is anticipated that most employees would be able to comply with this requirement unless they have an acceptable mitigating reason, such as not knowing they were pregnant or serious ill-health.

ADOPTION

they notify the Trust of the following no later than 7 days from the date on which they receive confirmation that they have been matched with a child for the purposes of adoption, giving at least 28 days’ notice (or if this is not possible, as much notice as is reasonably practicable):

a) their intention to take maternity/adoption leave;

b) the date they wish to start their maternity/adoption leave;

c) that they intend to return to work with the same or another NHS employer for a minimum period of three months after their maternity/adoption leave has ended.

d) they provide a MATB1 form from their midwife or GP giving the expected date of childbirth or an original ‘matching certificate’ from an approved adoption agency stating:

• The name and address of the agency.

• The name and address of the employee.

• The date on which the employee was notified that he or she had been
matched with the child, and

- the date on which the agency expects to place the child with the employee.

The adoption agency must be one which is properly recognised in UK law. Employees have no statutory rights if they arrange a private adoption.

Eligibility for overseas adoption leave and pay are the same as if the child is adopted from within the UK.

A parental order parent in a surrogacy arrangement may be entitled to adoption leave and pay under this Policy.

8.2 An employee who satisfies the conditions in paragraph 8.1, except that they do not intend to work with the same or another NHS employer for a minimum period of three months after their maternity/adoption leave is ended, will be entitled to pay equivalent to Statutory Maternity Pay (SMP) or Statutory Adoption Pay (SAP), which is paid at 90 per cent of their average weekly earnings for the first six weeks of their maternity/adoption leave and to a flat rate sum for the following 33 weeks.

8.3 If an employee does not satisfy the conditions in paragraph 8.1 for occupational maternity/adoption pay, they may be entitled to SMP/SAP. If their earnings are too low for her to qualify for SMP/SAP or they do not qualify for another reason, they should be advised to claim Maternity/Adoption Allowance from their local Job Centre Plus or social security office. See section 30 for further information on statutory entitlements.

8.4 Adoption leave is not available to both parents. If one partner is eligible for adoption leave and pay, the other may take paternity leave and pay, or Shared Parental Leave (for babies adopted on or after 5 April 2015).

8.5 Only one period of adoption leave will be available, irrespective of whether more than one child is placed for adoption as part of the same arrangement.

9. **AMOUNT OF PAY AND DURATION OF LEAVE**

9.1 Where an employee meets the conditions defined at paragraph 8.1, the amount of contractual maternity/adoption pay receivable is as follows:

i) for the first eight weeks of absence, the employee will receive full pay, less any SMP/SAP or Maternity Allowance (including any dependents’ allowances) receivable;

ii) for the next 18 weeks, the employee will receive half of full pay plus any SMP/SAP or Maternity Allowance (including any dependents’ allowances) receivable, providing the total receivable does not exceed full pay;

iii) for the next 13 weeks, the employee will receive any Statutory Maternity Pay/SAP or Maternity Allowance that they are entitled to under the statutory scheme;

iv) Employees are also entitled to take a further 13 weeks as unpaid leave to bring the total of leave to 52 weeks.

9.2 By prior agreement with the Trust, contractual maternity/adoption pay may be paid in a different way, for example a combination of full pay and half pay or a fixed amount spread equally over the maternity leave period. Employees should approach their Assistant HR Advisor in order to make such a request.
10. **COMMENCEMENT AND NOTIFICATION OF LEAVE**

10.1 An employee may begin her maternity leave at any time between 11 weeks before the expected week of childbirth provided she gives the required notice.

10.2 An employee may begin their adoption leave up to 14 days before the date on which the child is expected to be placed with the employee and no later than that date, provided that they notify the Trust as soon as ‘matching’ is confirmed and that they give the Trust at least 28 calendar days’ notice.

10.3 The application form for maternity/adoption leave is attached at Annex A (ESR 8). This must be completed, signed by the employee’s Line Manager and returned to the relevant HR Department before the end of the 15th week before the expected date of childbirth or within 7 days of confirmation of matching and at least 28 days’ before placement. If, after completion, the employee wants to change the date from which she wishes her leave to start, she should notify her line manager at least 28 days beforehand (or if this is not possible, as soon as is reasonably practicable beforehand) and complete an ESR 8 form.

10.4 An employee will accrue annual leave over their maternity leave period, this annual leave can be taken prior to commencing maternity leave and/or after the formal maternity leave period (in accordance of the Agenda for change Terms and Conditions handbook) section 15.50.

11. **CONFIRMING MATERNITY/ADOPTION LEAVE AND PAY**

11.1 Following receipt of the maternity/adoption leave application form and MATB1 form or Matching Certificate the relevant HR Department will confirm the following to the employee in writing within 28 calendar days:

i) the employee’s paid and unpaid leave entitlements under this agreement (or statutory entitlements if the employee does not qualify under this agreement);

ii) unless an earlier return date has been given by the employee, their expected return date based on their 52 weeks paid and unpaid leave entitlement under this agreement; and

iii) the length of any period of accrued annual leave which it has been agreed may be taken following the end of the formal maternity/adoption leave period;

iv) the need for the employee to give at least 8 weeks’ notice if they wish to return to work before the expected return date. During this period all contractual benefits, with the exception of remuneration, will apply.

12. **KEEPING IN TOUCH**

12.1 Before going on leave, the line manager and the employee should also discuss and agree any voluntary arrangements for keeping in touch during the employee’s maternity/adoption leave, including:

i) any voluntary arrangements that the employee may find helpful to help them keep in touch with developments at work and, nearer the time of their return, to help facilitate their return to work;

ii) keeping the line manager in touch with any developments that may affect their
intended date of return.

12.2 To facilitate the process of keeping in touch, an employee may work for up to a maximum of 10 keeping in touch (KIT) days without bringing their maternity/adoption leave to an end (working for part of any day will count as one KIT day). Any days of work will not extend the maternity/adoption leave period and cannot be taken in the compulsory maternity leave period referenced at 13.2.

12.3 KIT days are intended to facilitate a smooth return to work for employees returning from maternity/adoption leave. The work can be consecutive or not and can include training or other activities which enable the employee to keep in touch with the workplace.

12.4 Any such work must be by agreement and neither the Trust nor the employee can insist upon it.

12.5 The employee will be paid at their basic hourly rate for the hours worked and the appropriate occupational maternity leave payment will be deducted for KIT days worked. A Timesheet will need to be completed by the employee for sign off by the line manager to arrange for payment to be made for any hours worked, this will be paid one month in arrears.

12.6 Any hours worked on a particular day or shift will be recorded as 1 KIT day ie. if an employee attends a 2 hour meeting, this will be recorded as one of their ten KIT days, however, they will only be paid for the hours worked. Claim on a timesheet to be sent to HR to action on an Variation Form

12.7 Any employee who is breastfeeding must be risk assessed and facilities provided in accordance with the Trust’s ‘New and Expectant Mothers’ policy.

13. RETURNING TO WORK

13.1 An employee has the right to return to their job, under their original contract and on no less favourable terms and conditions.

13.2 Employees on maternity leave are not permitted to return to work for the first two weeks after the birth.

13.3 If the baby is due to be born or adopted on or after 5 April 2015, the employee and the employee’s partner may, at any time after the end of the two week compulsory maternity leave period and provided they are eligible, take Shared Parental Leave (SPL). An employee who intends to end their maternity/adoption leave to enable her and/or the child’s other parent to take SPL must follow the process and notification requirements detailed in the section Shared Parental Leave below.

13.4 An employee who intends to return to work at the end of their full maternity/adoption leave will not be required to give any further notification to the employer, although if they wish to return earlier than the date specified, they must give at least 8 weeks’ notice to their line manager.

13.5 The Trust recognises its responsibilities as an employer to provide, where reasonably practicable flexible working practices to staff returning to work following maternity/adoption leave. Such requests will be considered in accordance with the Trust’s Flexible Working policy. The employee should write to their line manager giving them 8 weeks’ notice of their request.

13.6 A Variation Form (VF) Appendix C will need to be completed by the Line Manager and forwarded to payroll to return an employee back to work following their maternity leave. The VF should clearly state the child’s Date of Birth and request that they be returned to the payroll within the payroll deadlines (this will be the day after the maternity leave ended). The VF should be submitted 1 month in advance of the employees return to avoid any over/under payment. This is the manager’s responsibility to ensure this is completed. In
circumstances where it is not possible for the form to be physically signed by the individual, Line Managers can use their ESR number as signatory.

13.7 If an employee plans to take a period of annual leave following their maternity leave, the employee will need to be returned to the payroll at the end of their maternity leave as per 13.5 above and then annual leave should commence on the day that would have been their first day back from maternity leave. If an employee wishes to take any accrued annual leave after their maternity leave this should be discussed with their line manager at the earliest convenience, however, a minimum of 8 weeks’ notice is required.

13.8 If an employee is reducing their hours after a period of annual leave following maternity leave, the reduction in hours should take effect after the period of annual leave as per 13.5 above has ended.

13.9 A variation form (appendix C) will need to be completed by the Line Manager to reflect the change in hours and the process followed as outlined in the Flexible Working Policy. The variation form should be submitted 1 month in advance of any change in hours to avoid any over/under payment. This is the line managers responsibility to ensure this is completed.

13.10 If it is agreed that the employee will return to work on a flexible basis, including changed or reduced hours, for an agreed temporary period this will not affect the employee’s right to return to their job under their original contract at the end of the agreed period.

13.11 Where the employee chooses to return to a post at a lower grade, they will not be entitled to any protection of pay.

14. **FAILURE TO RETURN TO WORK**

14.1 If an employee who has notified the Trust of their intention to return to work for the Trust or a different NHS employer, fails to do so within 15 months of the beginning of their maternity/adoption leave, they will be liable to refund the whole of their maternity/adoption pay, less any Statutory Maternity Pay or Statutory Adoption Pay, received.

14.2 In cases where it is considered that to enforce this provision would cause undue hardship or distress, Heads of Department have the discretion to waive their rights to recovery of full payment, in agreement with the appropriate HR Manager. Further guidance must be obtained from the Human Resources department in such cases.

15. **SICKNESS PRIOR TO CHILDBIRTH**

15.1 Any sickness absence occurring prior to the last four weeks before the Estimated Week of Childbirth (EWC), which is supported by a medical statement or self-certificate, will be treated in accordance with normal sick leave provisions in accordance with the Trust’s Managing Sickness Absence policy.

15.2 Any pregnancy related sickness absence within the last four weeks before the EWC, will result in the automatic commencement of maternity leave. In such instances, the maternity leave will start on the first day of the employee’s absence falling within the last four weeks before the EWC.

15.3 Odd days of pregnancy-related illness during this period may be disregarded if the employee wishes to continue working until the maternity leave start date previously notified to the employer.

16. **SICKNESS FOLLOWING THE END OF MATERNITY/ADOPTION LEAVE**

16.1 In the event of illness following the date the employee was due to return to work, normal sick leave provisions will apply in accordance with the Trust’s Managing Sickness Absence policy.

17. **STILL BIRTH**
17.1 In the very unfortunate event, where an employee’s baby is still born after the 24th week of pregnancy, the employee will be entitled to the same amount of maternity leave and pay as if her baby was born alive.

18. MISCARRIAGE

18.1 Where an employee has a miscarriage before the 25th week of pregnancy, normal sick leave provisions will apply in accordance with the Trust’s Managing Sickness Absence policy.

19. PRE-TERM BIRTH

19.1 Where an employee’s baby is born alive prematurely, the employee will be entitled to the same amount of maternity leave and pay as if her baby was born at full term.

19.2 Where an employee’s baby is born before the 11th week before the EWC and the employee has worked during the actual week of childbirth, maternity leave will start on the first day of the employee’s absence.

19.3 Where an employee’s baby is born before the 11th week before the EWC and the employee has been absent from work on certified sickness absence during the actual week of childbirth, maternity leave will start on the day after the day of birth.

19.4 Where an employee’s baby is born before the 11th week before the EWC and the baby is in hospital, the employee may split her maternity leave entitlement, taking a minimum period of two weeks maternity leave immediately after childbirth and the rest of her leave following her baby’s discharge from hospital.

20. DISRUPTED ADOPTION PLACEMENT

20.1 Where the employee’s ordinary adoption leave period has begun and;

- the adoption agency notifies the employee that the child will not be placed with him or her, or;
- the child dies, or;
- the child’s placement ends;

the leave will normally end 8 weeks after the end of the week in which the disruption occurs. Payment of SAP will continue for 8 weeks after the end of the week in which the disruption took place or the end of the employee’s SAP period if that is sooner.

21. ANTENATAL AND POSTNATAL CARE AND PRE-ADOPTION PLACEMENT MEETINGS

21.1 Pregnant employees and those who have recently given birth have the right to paid time off for antenatal and postnatal care or official adoption placement meetings, provided that at least one week’s notice is given. This may include relaxation and parent-craft classes as well as appointments for antenatal care and attendance at health clinics. Line Managers may reasonably request to see appointment cards.

21.2 Employees who are the partner of a pregnant woman have the right to take unpaid time off to accompany his/her partner to up to two antenatal appointments lasting no more than 6.5 hours each.
22. **ACCRUAL OF ANNUAL LEAVE**

22.1 Annual leave will continue to accrue during all maternity leave (both Ordinary Maternity Leave/Ordinary Adoption Leave and Additional Maternity Leave/Additional Adoption Leave) and employees will be eligible to carry their full entitlement forward into the following leave year, where applicable.

22.2 The amount of annual leave to be taken before and/or after the formal maternity/adoption leave (i.e. OML/OAL plus AML/AAL) should be agreed between the employee and their Line Manager in discussion with the Human Resources Department. Annual Leave may be taken directly after OML/OAL or after AML/AAL to extend the total period of leave but this should be agreed sufficiently in advance to enable the line manager to plan for appropriate departmental cover.

22.3 In certain circumstances the employee may elect to receive payment in lieu of a proportion of their annual leave – this will need to be agreed with their Line Manager and the relevant Head of Department and pay roll notified. The employee cannot however be required to receive their leave entitlement as a payment.

22.4 If an employee wishes to extend their maternity leave with annual leave that has been accrued please note that the official return to work date should be the date their annual leave commences in order to receive correct payment. (also refer to section 13.5).

23. **PENSIONS**

23.1 Pension rights and contributions shall be dealt with in accordance with the provisions of the NHS Superannuation Regulations.

24. **FIXED-TERM CONTRACTS**

24.1 Employees subject to fixed-term which expire after the 11th week before the expected week of childbirth and who satisfy the conditions in paragraph 8.1 shall have their contracts extended so as to allow them to receive the 52 weeks which includes paid contractual and SMP and the remaining 13 weeks of unpaid maternity leave. If there is no right of return because the contract would have ended, had pregnancy/adoption not occurred, the repayment provisions set out in paragraph 14.1 will not apply.

24.2 Absence due to maternity/adoption leave (paid and unpaid) up to 52 weeks before a further NHS appointment shall not constitute a break in service.

24.3 Employees on fixed-term contracts who do not meet the 12 months’ continuous service condition in accordance with paragraph 8.1 may be entitled to SMP in accordance with paragraph 8.3.

25. **STAFF ON TRAINING/DEGREE PROGRAMMES**

25.1 Employees undertaking external training or degree programmes, as part of their Terms and Conditions of employment, e.g. Student Paramedics, will be entitled to 52 weeks’ Maternity/Adoption leave and to Contractual Maternity/Adoption pay subject to meeting the criteria defined at paragraph 8.1. This will be paid in accordance with Agenda for Change Annex U at the appropriate rate, depending upon how close they are to the completion of their training at the date that their maternity/adoption leave will commence.
25.2 Employees on training or degree programmes who do not meet the 12 months' continuous service condition in accordance with paragraph 8.1 may be entitled to SMP/SAP in accordance with paragraph 8.3.

25.3 Employees will be entitled to return to work in accordance with section 13 of this policy. However, discussions will need to take place between the employee, the Trust’s Education Department and the external training provider (e.g. college/university) as to how this can be reasonably achieved, taking into account the course syllabus and timetable, the required number of ‘placement’ hours and the individual’s circumstances e.g. how much of the course has been completed.

25.4 The employee’s training contract will be extended, if necessary, to enable the employee to complete the agreed programme of training, including the required ‘placement hours’ in order to qualify.

26. INCREMENTS

26.1 Maternity/Adoption leave, whether paid or unpaid, shall count as service for annual increments and for the purposes of any service qualification period for additional annual leave. The expectation is that an employee on maternity/adoption leave would receive their incremental pay rise on the due date if concerns had not been raised about their performance / capability prior to maternity leave.

PART II

27. MATERNITY SUPPORT (PATERNITY) LEAVE – principles

27.1 Employees who meet the criteria for maternity support / paternity leave and have continuous service of more than 1 year with one or more NHS employers at the EWC/placement of the child are entitled to NHS Occupational Statutory Paternity Pay of 2 weeks paid leave at full pay inclusive of SSP.

27.2 In addition, employees may be entitled to take up to twenty six weeks’ of additional statutory Maternity Support (Paternity) leave if their partner has returned to work, this leave can be taken between 20 weeks and must be completed by the child’s first birthday or first year of adoption. The right to additional statutory Maternity Support (Paternity) leave is only available if your baby is due or you expect to adopt before 5 April 2015 and you meet the criteria. If your baby is due to be born or adopted on or after 5 April 2015, you may be entitled to shared parental leave instead of additional maternity support (paternity) leave.

28. ELIGIBILITY TO MATERNTIY SUPPORT (PATERNITY) LEAVE AND PAY

28.1 All Trust employees are entitled to two weeks’ paternity leave, providing that they satisfy the following criteria:

- Employees must have or expect to be having responsibility for the upbringing of the child;
- Be the biological father to, and/or be married to, or partner to the child’s mother or adopter;
- Give at least 28 days notice of their wish to take paternity leave by completing the request form (ESR 9) at Annex B;
28.2 An employee will be entitled to 2 weeks’ occupational paternity leave at full pay provided they have been employed by the Trust or other NHS Employing Authority for a continuous period of 12 months (in accordance with paragraphs 15.61 to 15.65 and 35.17 of the Agenda for Change Terms and Conditions handbook) at the beginning of the week of expected childbirth or adoption placement and intend to return to work for the Trust or another NHS employer following paternity leave.

28.3 If an employee is not entitled to occupational paternity pay, there may be an entitlement to 2 weeks’ statutory paternity pay (SPP) if they have been employed by the Trust or another NHS Employing Authority for a continuous period of at least 26 weeks at the Qualifying Week (QW) i.e. the week commencing the 15th week before the expected week of childbirth or adoption and are earning more than the national insurance lower earnings limit per week.

28.4 SPP will be set at the same flat rate for statutory maternity pay, or if the employee’s earnings are less than the flat rate per week, 90% of the average weekly earnings.

28.5 The Trust reserves the right to request evidence of a staff member’s eligibility to Paternity Leave before approving leave/pay, for example a copy of the MAT B1 form or confirmation of placement letter/matching certificate. This should be provided to the HR Team along with the ESR 9 form.

29. **ADDITIONAL STATUTORY MATERNITY SUPPORT (PATERNITY) LEAVE AND PAY**

29.1 The right to additional statutory maternity support (paternity) leave is only available if your baby is due or you expect to adopt before 5 April 2015 and you meet the criteria. If your baby is due to be born or adopted on or after 5 April 2015, you may be entitled to shared parental leave instead of additional maternity support (paternity) leave.

An employee can take between 2 and 26 weeks additional paternity leave (ASML) after the baby has reached its 20th week and before its 1st birthday.

29.2 To qualify for additional statutory maternity support (paternity) leave the employee and their partner must first meet certain qualification criteria;

- You must be an employee with an employment contract.
- You must have been with your employer for at least 26 weeks’ by the qualifying week either;
  - the end of the 15th week before the start of the week when the baby is due;
  - the end of the week you are notified you are matched with your child (adopting within the UK);
  - the date your child enters Great Britain for the purposes of adoption (adopting from overseas).
- You must be employed the week, which runs Sunday to Saturday, before you want to start your leave.
- You must be taking time off to care for the child.
- The child’s mother must have been entitled to one or more the following – Statutory Maternity Pay, Statutory Maternity Leave, Maternity Allowance or Statutory Adoption Leave or Pay.
- The child’s mother must also have started working again so that any relevant pay has stopped.
29.3 Where an employee meets the conditions defined at paragraph 29.2, the amount of ASML pay receivable is as follows: -

Additional Paternity Pay (APP) per week or 90% of their gross average weekly earnings (whichever is lower).

Pay stops when the mother’s maternity or adoption pay would have ended.

29.4 Employees who are entitled to additional statutory maternity support (paternity) leave/pay will be entitled to take up to 10 keeping in touch days during the course of the additional maternity support (paternity) leave period. The criteria for keeping in touch days is set out in Section 15 (AFC) and is based on those used for statutory maternity leave and pay.

29.5 Employees who have taken additional statutory maternity support (paternity) leave will have the right to return to the same job under their original contract and on no less favourable terms and conditions.

30. COMMENCEMENT OF MATERNITY SUPPORT (Paternity) LEAVE

30.1 Maternity Support (Paternity) leave will commence on the date that the employee has notified the Trust that they intend to begin their leave. However, managers are expected to exercise flexibility and discretion around this date when a child is born prematurely and the employee wishes to bring this date forward. The employee should notify their Line Manager as soon as is reasonably practicable.

30.2 Where the child remains unborn on the expected date, the leave will be postponed accordingly and the employee should notify both their Line Manager and the HR Team.

30.3 Maternity Support (Paternity) leave may be taken either as 1 single block or 2 consecutive weeks within 56 days of the child’s birth or adoption placement. If only one week within this time period is taken, the employee will forfeit the second week.

30.4 Maternity Support (Paternity) leave must be taken within 56 days (8 weeks) of the child’s birth or adoption placement.

31. COMMENCEMENT OF ADDITIONAL STATUTORY MATERNITY SUPPORT (Paternity) LEAVE (ASML)

31.1 In order to commence additional statutory maternity support (paternity) leave an employee must give the Trust eight weeks’ notice of the intended commencement of additional statutory maternity support (paternity) leave. An ESR8 form, SC7 form, copy MATB1, Copy Birth Certificate will need to be provided for this. This must state the proposed start and end dates of their ASML, the actual birth date of the child or date of placement in the case of adoption.

31.2 The employee must provide the Trust with a written declaration confirming that the purpose of the additional statutory maternity support (paternity) leave stating;

- That he is the child’s father or married to or a partner or civil partner of the child’s mother.

- The individual has or expects to have the main responsibility (apart from the child’s mother) for bringing up the child.

- The Trust must also receive a declaration from the child’s mother stating her name, address and National Insurance number, the date which she intends to return to work and that to her knowledge the employee is the only person exercising the right to
additional maternity support (paternity) leave.

- The mother must also give her consent to the Trust to process the information that she has provided in her declaration.

31.3 The employee can change the starting date of their ASML within 6 weeks of the original date and the proposed new date by giving written notice.

31.4 ASML is also available to adoptive parents within the first year after the child's placement for adoption, or within the first year after the child enters Great Britain in the case of overseas adoptions, provided that the child’s primary adopter who elected to take adoption leave has returned to work before using their full entitlement to adoption leave.

31.5 The earliest an employee can start ASML is 20 weeks after the child is born, or, in the case of adoption, 20 weeks after the child was placed with the employee for adoption and it must be completed by the child's first birthday or first year of adoption.

31.6 Employees who qualify for ASML may elect to take up to 26 weeks ASML within the first year of their child's life provided that the mother has returned to work before using her full entitlement to maternity leave. ASML must be taken as a single block in multiples of complete weeks, with a minimum period of 2 consecutive weeks.

32. INFORMATION ABOUT STATUTORY MATERNITY/ADOPTION AND MATERNTY SUPPORT (Paternity) LEAVE AND PAY

32.1 There are occasions when employees are entitled to other statutory benefits/allowances and information about all statutory maternity/adoption and paternity rights can be found using the following link:


33. APPEALS

33.1 Any employee who is dissatisfied with any decision made in respect of this policy has 1 right of appeal as per the Trust's Best Practice Guidelines.

34. MONITORING

34.1 It is the responsibility of Line Managers/Department Heads and/or the Scheduling Department to ensure that full and accurate records are kept in relation to the entitlement due and amount of leave granted in respect of their staff.

34.2 A written record of all decisions taken in accordance with this policy should be retained on the employee’s personnel file.

34.3 Documentation relating to employees will be treated with the utmost confidentiality and in accordance to the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679) and the NHS Records Lifecycle Policy.

34.4 Employees have the right to access any documentation held on them in accordance with the General Data Protection Regulation (GDPR) (Regulation (EU) 2016/679).

34.5 Statistical analysis and reports will be provided to the relevant bodies as required and to appropriate internal departments/managers and meetings as required on a regular basis.

PART III
35. **SHARED PARENTAL LEAVE POLICY**

35.1 This Shared Parental Leave Policy explains your rights in relation to shared parental leave and pay in relation to the birth or adoption of a child.

35.2 This policy reflects statutory shared parental rights for parents of babies due to be born or adopted on or after 5 April 2015. If your baby is due or you expect to adopt before 5 April 2015, your rights are different and you should contact HR for details.

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

35.4 The law relating to shared parental leave ("SPL") and pay is complex so do not hesitate to contact your HR manager or HR representative if you have any questions.

35.5 In this policy to the "parent" or "parents" of the child are referred to. This is not necessarily the biological parents. It refers to the two people who will share the main responsibility for the child's upbringing (and who may be the mother, the adoptive parents, the father or the mother's partner, if not the father). "Partner" can be either spouse, civil partner or someone living in an enduring family relationship but not a sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew. We will refer to the partner as the co-parent throughout this policy.

35.6 Where we refer to the child's mother in this policy, we also mean the primary adopter.

36. **WHAT IS SHARED PARENTAL LEAVE (SPL)?**

36.1 SPL is a form of leave that is available to working parents following the birth or adoption of a child and enables the parents to take time off to share the care of the baby during an equivalent period to the mother's maternity or adoption leave.

36.2 The total amount of SPL available to the parents is 52 weeks, less the weeks spent by the child's mother on maternity or adoption leave (or the weeks in which the mother has been in receipt of statutory maternity/adoption pay or maternity allowance if she is not entitled to maternity leave). Parents can take SPL at the same time as each other or at different times.

36.3 The right to SPL is in addition to the co-parent's statutory right to two weeks' paternity leave.

37. **WHO IS ENTITLED TO TAKE SPL?**

37.1 The child's parents are entitled to take SPL.

37.2 In addition, the following conditions must also be fulfilled:

- you must have at least 26 weeks' continuous employment with us by the end of the 15th week before the week in which your baby is due to be born or, for adoption, when you were matched with your child;

- the co-parent must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the week in which your baby is due or you were matched with a child and earned at least £30 per week on average for 13 of those weeks; and

- you and the co-parent must give the necessary statutory notice and declarations as summarised below, including notice to end any maternity/adoption leave, statutory maternity/adoption pay or maternity allowance period.
38. **EVIDENCE OF ENTITLEMENT TO SPL**

38.1 After the birth of your baby, we may ask you for a copy of your baby's birth certificate (or, if you have not yet obtained a birth certificate, a signed declaration of the baby's date and place of birth) and the name and address of the employer of the other parent.

38.2 If you are adopting a child, we may ask you for a copy of documentation from your adoption agency containing the name and address of the agency, the date you were notified of having been matched for adoption and the expected date of placement. We may also request the name and address of the other adoptive parent's employer.

39. **ENDING MATERNITY/ADOPTION LEAVE AND STARTING SPL**

**Summary**

39.1 You or your partner can only start SPL once the child has been born. The child’s mother must have either:

- ended any maternity/adoption leave by returning to work; or
- given binding notice to their employer of the date when they plan to end any maternity/adoption leave (this is called the curtailment notice).

39.2 The child’s mother cannot return to work before the end of the compulsory two weeks of maternity leave following the birth (or, in the case of adoption, before the end of the first two weeks of adoption leave). However, the other parent may be eligible to take SPL before the mother's maternity/adoption leave ends, provided the mother has given a curtailment notice to end their maternity leave.

**Child's mother**

39.3 If you are the child’s mother and are still on maternity/adoption leave, you must give the Trust at least eight weeks written notice to end your maternity/adoption leave (the curtailment notice) before you can take SPL, unless the adoption notice is shorter than this period in which case the Trust should be informed at the earliest opportunity with relevant evidence provided. To do this, please fill in and submit SPL Form 1 (which can be found in Annex G) to HR. The notice must state the date your maternity/adoption leave will end. You can give notice before or after you give birth/placement for adoption, but you cannot end your maternity leave until at least two weeks after birth or the first day of adoption leave.

39.4 The curtailment notice is usually binding. You can only change your decision to end maternity/adoption leave if your maternity/adoption leave has not yet ended and:-

- you realise during the eight week notice period that neither you nor the other parent is eligible for SPL or statutory shared parental pay (ShPP). In these circumstances you can revoke the curtailment notice in writing up to eight weeks after it was given;
- for maternity leave, you gave a curtailment notice before birth, in which case you can revoke it in writing up to eight weeks after it was given, or up to six weeks after birth, whichever is later; or
- unfortunately, the co-parent has died.

At the same time as the curtailment notice, you must also give us notice to opt into the SPL scheme (see Section 40) or a written declaration that the co-parent has given his or her employer an opt in notice and that you have given the necessary declarations in that notice.
39.5 If you are a child’s father or the mother’s partner, you will only be able to take SPL once the mother has given one of the following notices:

- curtailment notice to her employer to end maternity/adoption leave;
- a curtailment notice to end her statutory maternity/adoption pay (SMP/SAP) if she is not entitled to maternity/adoption leave but is entitled to pay; or
- a curtailment notice to the benefits office to end her maternity allowance (MA) if she is not entitled to maternity leave or statutory maternity leave.

40. OPTING INTO SHARED PARENTAL LEAVE AND PAY

40.1 Not less than eight weeks before the date you intend your SPL to start, please fill in and submit SPL Form 2 (this can be found in Annex H) to HR in order to give us written opt-in notice of your entitlement and intention to take SPL. Please refer to the opt-in notice to see what information you need to provide.

40.2 We would encourage you to submit Form 2 as early as possible (and no less than eight weeks before the date you intend your SPL to start). Although your indication to take SPL in Form 2 is non-binding (unless you also use it to give us a "period of leave notice" by ticking the box at C4), submitting the form early means that we can have a discussion about your proposals to take SPL at an early stage and this will enable both you and us to understand what is most likely to work for both parties.

41. NOTIFYING US OF YOUR SPL DATES

41.1 Having opted in to the SPL system you will need to give us a "period of leave notice" telling us the start and end dates of your leave. To do this please fill in and submit SPL Form 3 (this can be found in Annex I) to HR. This can be given at the same time as your opt in notice (by ticking the box at C4 on Form "", in which case you do not have to fill in Form 3). Alternatively, it can be given later, as long as it is given at least eight weeks before the start of your leave. You must also state in your period of leave notice the dates on which you intend to claim shared parental pay, if applicable.

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

41.3 You can give up to three period of leave notices to book up to three separate blocks of SPL.

42. PROCEDURE FOR REQUESTING TO SPLIT BLOCK OF LEAVE INTO SHORTER PERIODS

42.1 Periods of leave notice should set out a single continuous block of leave. In some cases the Trust may be willing to consider a period of leave notice where the SPL block is split into shorter periods (of at least a week) with periods of work in between. In this case, it is best to discuss this with your manager and HR in advance of submitting any formal period of leave notices to give the Trust more time to consider the request, and hopefully agree a pattern of leave with you from the start.

42.2 Periods of leave notice must be submitted that set out the requested pattern of leave at least eight weeks before the requested start date. If the Trust cannot approve this request straight away there will be a two week discussion period, following which the agreed arrangements will be confirmed in writing. In the event of not reaching an agreement, you will be entitled to take the full amount of requested SPL as one continuous block, starting on the start date given in your notice. (For example, if you requested four separate periods of one month each, you will be entitled to one month period of leave). If you do not wish to do this, you may:
• choose a new start date (which must be at least eight weeks after your original period of leave notice was given), and tell us within five days of the end of the two weeks discussion period; or

• withdraw your period of leave notice within two days of the end of the two week discussion period (you may then submit a new one if you choose).]

43. **CHANGING THE DATES OR CANCELLING YOUR SPL**

   43.1 If you wish to **cancel** a period of leave you must tell us this in writing at least eight weeks before the start date of the period of leave.

   43.2 Alternatively you can **change** the dates for a period of leave as long as you tell us at least eight weeks before the original start date and the new start date.

   43.3 In order to cancel or vary your SPL, please fill in and submit SPL Form 4 *(this can be found in Annex J)* to HR. You do not need to give eight weeks’ notice if you are changing the dates of your SPL because your child was born or placed with you earlier than the expected week of childbirth/placement, where you had indicated you wished to start your SPL a period of time within eight weeks of the birth/placement. In such cases please notify us in writing of the change as soon as you can.

   43.4 A notice to cancel or change a period of leave will count as one of your three SPL period of leave notices, unless:

   - variation is a result of your child being born earlier or later than the week it was expected to be born or, in the case of adoption, placed earlier or later than expected;

   - variation is at our request; or

   - a mutual agreement is otherwise achieved.

44. **SHARED PARENTAL PAY (SHPP)**

   44.1 If you have at least 26 weeks’ continuous employment with us at the end of the 15th week before the week your child is expected to be born or the week you were matched with your child and your average earnings are not less than the lower earnings limit set by the government each tax year, you will be entitled to ShPP. ShPP is paid at a rate set by the government each year (please contact HR for further details). ShPP of up to 39 weeks (less any weeks statutory maternity/adoption pay claimed by you or the co-parent), is usually available.

45. **KEEPING IN TOUCH**

   45.1 Before you start your SPL, we will discuss with you the options for keeping in touch while you are away from work.

   45.2 We will make reasonable contact with you from time to time during your SPL, although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to work.

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

   45.4 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. Alternatively, you may
agree with your line manager to receive the equivalent paid time off in lieu who will then advise the HR department to fill in a variation form.

46. OTHER TERMS AND CONDITIONS DURING SPL

46.1 During SPL, all your normal terms and conditions of employment remain unchanged, except for the terms relating to pay, as explained above.

46.2 Your annual leave entitlement will continue to accrue at the rate provided under your contract. If your SPL will continue into the next holiday year, any holiday entitlement that cannot reasonably be taken before starting a new year can be carried over and must be taken immediately before returning to work unless your manager agrees otherwise. You should try to limit carry-over to one week's holiday or less. Carry-over of more than one week is at your manager's discretion. Please discuss your holiday plans with your manager in good time before starting SPL. All holiday dates are subject to approval by your manager.

46.3 Pension rights and contributions shall be dealt with in accordance with the provisions of the NHS Superannuation Regulations.

47. RETURNING TO WORK AFTER SPL

47.1 Returning on the Expected Return Date

If you return to work at the end of your shared parental leave (Expected Return Date), you do not need to notify us in writing, although it would be helpful if you would do so.

47.2 Returning before your Expected Return Date

If you decide to come back to work before your Expected Return Date, you must give us eight weeks' prior notice of the new return date. If would be helpful if you give this notice in writing.

47.3 Returning after your Expected Return Date

If you want to extend your SPL, you must submit a new period of leave notice at least eight weeks before your Expected Return Date. You can only do this if you still have SPL entitlement remaining and have not already submitted three period of leave notices. If you are unable to request more SPL, you may be able to request annual leave or ordinary parental leave. We will consider your request in line with our policies and usual practice for ordinary parental and annual leave.

47.4 Sickness absence

If you are unable to come back to work because of sickness or injury, your absence will be treated as sickness absence and our usual Sickness Absence Policy will apply.

47.5 Deciding not to return

If you decide you do not wish to return to work, you must give us written notice of resignation, as required by your contract of employment.

47.6 Your rights on return to work

You are normally entitled to return to work in the position you held before starting SPL and on the same terms of employment. However, if you have taken more than 26 weeks leave (including SPL and maternity/adoption leave) and/or you combined your leave with more than four weeks of parental leave (under our Parental Leave Policy), and it is not reasonably practicable for us to allow you to return to the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable.
If you want to change your hours or other working arrangements on return from SPL, you should make a request under our flexible working policy. It is helpful if such requests are made as early as possible.

48. **HELP AND ADVICE**

48.1 If you need any more information about our shared parental leave policy, you should ask your HR manager or HR representative who will be pleased to help.

49. **REVIEW**

49.1 This policy will be reviewed bi-annually by Management in partnership with staff side representatives.

**EQUALITY IMPACT ASSESSMENT**

Annex A – Application for Mat/Adoption Leave (ESR 8)
Annex B – Application for Maternity Support (Paternity) leave (ESR 9)
Annex C – Variation Form
Annex D - Entitlement to Maternity or Adoption Leave/Pay Flowchart
Annex E – Entitlement to Paternity Leave/Pay Flowchart
Annex F – Entitlement to Parental Leave Flowchart
# Equality Impact Assessment Form Section One – Screening

**Name of Function, Policy or Strategy:** 
**Shared Parental Leave Policy**

**Officer completing assessment:** 
**Amelia Spurin**

**Telephone Number:** 
**07787 669166**

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### 1. What is the main purpose of the strategy, function or policy?

To set out guidelines for all staff who are planning to have children or adopt. To provide information regarding time off for the birth and procedures to share the leave between the parents.

### 2. List the main activities of the function or policy? (for strategies list the main policy areas)

Parents with children due or up for adoption on or after 5/4/15, and whom satisfy the eligibility criteria are applicable for Shared Parental Leave. This mirrors current Statutory Maternity Leave at 39 weeks (or 52 weeks leave). All leave must be taken in 1 week blocks.

Partners are also allowed to attend 2 antenatal appointments provided they are taken as unpaid leave and each are no longer than 6.5 hours.

8 weeks’ notice of leave must be given to managers.

### 3. Who will be the main beneficiaries of the strategy/function/policy?

All staff of SCAS and their partners.

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Use the table overleaf to indicate the following:

- Where do you think that the strategy/function/policy could have an adverse impact on any equality group, i.e. it could disadvantage them?
- Where do you think that there could be a positive impact on any of the groups or contribute to promoting equality, equal opportunities or improving relations within equality target groups?
<table>
<thead>
<tr>
<th>Category</th>
<th>Positive Impact</th>
<th>Negative Impact</th>
<th>Reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENDER</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Women</td>
<td>Yes</td>
<td>N/A</td>
<td>Work-life balance – especially with reference to the care of children. Will be able to return to work sooner by sharing leave with their partner</td>
</tr>
<tr>
<td>Men</td>
<td>Yes</td>
<td>N/A</td>
<td>Fathers will benefit from being able to take time off to attend antenatal appointments, and have a greater involvement in their child’s life from an early age.</td>
</tr>
<tr>
<td>RACE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asian or Asian British People</td>
<td>N/A</td>
<td>Yes</td>
<td>Possible difficulties in understanding the policy if English not first language.</td>
</tr>
<tr>
<td>Black or Black British People</td>
<td>N/A</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>Chinese people and other people</td>
<td>N/A</td>
<td>Yes</td>
<td>Possible difficulties in understanding the policy if English not first language.</td>
</tr>
<tr>
<td>People of Mixed Race</td>
<td>N/A</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td>White (inc Irish) people</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Disabled People</td>
<td>N/A</td>
<td>Yes</td>
<td>Possible difficulties in understanding the policy if they have any learning difficulties or disorders such as dyslexia.</td>
</tr>
<tr>
<td>Lesbians, gay men and bisexuals</td>
<td>Yes</td>
<td>N/A</td>
<td>This policy does not discriminate against same sex couples, as it specifies “partners” not fathers, and has guidance on adoption.</td>
</tr>
<tr>
<td>Transgender</td>
<td>Yes</td>
<td>N/A</td>
<td>This policy does not discriminate against same sex couples, as it specifies “partners” not fathers, and has guidance on adoption.</td>
</tr>
<tr>
<td>AGE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Older People (60+)</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Younger People (17 to 25) and children</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Faith Groups</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Equal Opportunities and/or improved</td>
<td>N/A</td>
<td>N/A</td>
<td>Yes – ensuring that a fair and consistent process is followed for</td>
</tr>
<tr>
<td>Positive Impact</td>
<td>Negative Impact</td>
<td>Reasons</td>
<td></td>
</tr>
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<td>-----------------</td>
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<tr>
<td></td>
<td></td>
<td>all Trust staff.</td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**

Faith groups cover a wide range of groupings, the most common of which are Muslims, Buddhists, Jews, Christians, Sikhs and Hindus. Consider faith categories individually and collectively when considering positive and negative impacts. The categories used in the race section refer to those used in the 2001 Census. Consideration should be given to the specific communities within the broad categories such as Bangladeshi people and to the needs of other communities that do not appear as separate categories in the Census, for example, Polish.
5. If you have indicated that there is a negative impact, is that impact:

<table>
<thead>
<tr>
<th>Impact</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Intended</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Level of Impact</td>
<td>High</td>
<td>Low</td>
</tr>
</tbody>
</table>

If the negative impact is possibly discriminatory and not intended and/or of high impact, please complete a thorough assessment after completing this form.

6(a). Could you minimise or remove any negative impact that is of low significance? Explain how below:

- Clear, simple language used. Line managers support and guide their staff to understand what has been written in the policy and the impact/effect it would have on them.
- A simplified version of this policy has been designed in PowerPoint form to go through with managers, along with a poster of key points for staff to access in order to increase their understanding.

6(b). Could you improve the strategy, function or policy positive impact? Explain how below:

- By using clear and simple language.

7. If there is no evidence that the strategy, function or policy promotes equality, equal opportunities or improves relations – could it be adopted so it does? How?

N/A

Please sign and date this form, keep one copy and send one copy to the Trust’s Equality Lead.

Signed: Amelia Spurin

Name: Amelia Spurin

Date: 5/1/15
Equality Impact Assessment Form Section Two – Full Assessment

Name of Function, Policy or Strategy: Shared Parental Leave Policy

Officer completing assessment: Amelia Spurin

Telephone: 07787 669166

Part A

1. Looking back at section one of the EqIA, in what areas are there concerns that the strategy, policy or project could have a negative impact?

   Gender
   Race x
   Disability x
   Sexuality/Transgender
   Age
   Faith

2. Summarise the likely negative impacts:-

   Difficulties with understanding the policy relating to language problems and/or learning disabilities. No perceived issues relating to other groups; actively addresses some.

3. Using the table below, give a summary of what previous or planned consultation on this topic, policy, function or strategy has or will take place with groups or individuals from the equality target groups and what has this consultation noted about the likely negative impact?

<table>
<thead>
<tr>
<th>Equality Target Groups</th>
<th>Summary of consultation planned or taken place</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
<td></td>
</tr>
<tr>
<td>Race</td>
<td>Standard 21 days’ consultation across the Trust.</td>
</tr>
<tr>
<td>Disability</td>
<td>Standard 21 days’ consultation across the Trust.</td>
</tr>
<tr>
<td>Sexuality/Transsexuality</td>
<td></td>
</tr>
<tr>
<td>Older People</td>
<td></td>
</tr>
</tbody>
</table>
### Equality Target Groups

<table>
<thead>
<tr>
<th>Equality Target Groups</th>
<th>Summary of consultation planned or taken place</th>
</tr>
</thead>
<tbody>
<tr>
<td>Younger People</td>
<td></td>
</tr>
<tr>
<td>Faith</td>
<td></td>
</tr>
</tbody>
</table>

4. What consultation has taken place or is planned with Trust staff including staff that have or will have direct experience of implementing the strategy, policy or function?

   As previous table.

5. Check that any research, reports, studies concerning the equality target groups and the likely impact have been used to plan the project and guide or indicate what research you intend to carry out:

<table>
<thead>
<tr>
<th>Equality Target Groups</th>
<th>Title/type of/details of research/report</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
<td>Research concerning whether or not Shared Parental Leave is likely to improve gender equality.</td>
</tr>
<tr>
<td>Race</td>
<td></td>
</tr>
<tr>
<td>Disability</td>
<td></td>
</tr>
<tr>
<td>Sexuality/Transsexuality</td>
<td>How many couples that use this policy are single sex couples.</td>
</tr>
<tr>
<td>Older People</td>
<td></td>
</tr>
<tr>
<td>Younger People</td>
<td></td>
</tr>
<tr>
<td>Faith</td>
<td></td>
</tr>
</tbody>
</table>

6. If there are gaps in your previous or planned consultation and research, are there any experts/relevant groups that can be contacted to get further views or evidence on the issues?

   ☐ Yes *(Please list them and explain how you will obtain their views)*

   ☒ No
Part B
Complete this section when consultation and research has been carried out

7a. As a result of this assessment and available evidence collected, including consultation, state whether there will be a need to be any changes made/planned to the policy, strategy or function.

7b. As a result of this assessment and available evidence, is it important that the Trust commissions specific research on this issue or carries out monitoring/data collection?

(You may want to add this information directly on to the action plan at the end of this assessment form)

No changes are required to the Policy, and this has been approved by the solicitors.

8. Will the changes planned ensure that negative impact is:

   Legal? (not discriminatory, under anti-discriminatory legislation) ☐
   Intended? ☐
   Low impact? ☐

9a. Have you set up a monitoring/evaluation/review process to check the successful implementation of the strategy, function or policy?

   Yes ☒ No ☐

9b. How will this monitoring/evaluation further assess the impact on the equality target groups/ensure that the strategy/policy/function is non-discriminatory?

   Details: All comments regarding the policy from members of staff will be taken into consideration to sure it is not discriminatory in any way.

Please complete the action plan overleaf, sign the EQIA, retain a copy and send a copy of the full EQIA and Action Plan to the Trust’s Equality Lead.

Signed: Amelia Spurin

Name: Amelia Spurin

Date: 5/1/15
<table>
<thead>
<tr>
<th>Issue</th>
<th>Action Required</th>
<th>Lead Officer</th>
<th>Timescale</th>
<th>Resource Implications</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Difficulties of understanding</td>
<td>Plain English, simple language</td>
<td></td>
<td>During drafting</td>
<td>Built into process</td>
<td></td>
</tr>
<tr>
<td>Difficulties of understanding</td>
<td>Managers to support staff to understand</td>
<td></td>
<td>In use, on-going</td>
<td>Should not be any.</td>
<td></td>
</tr>
<tr>
<td>Difficulties of understanding</td>
<td>PowerPoint sent to all managers</td>
<td>Amelia Spurin</td>
<td>On-going</td>
<td>Should not be any.</td>
<td>Already designed and approved by HR.</td>
</tr>
<tr>
<td>Difficulties of understanding</td>
<td>Simple factsheet summarising key points for staff</td>
<td>Amelia Spurin</td>
<td>On-going</td>
<td>Should not be any.</td>
<td>Already designed and approved by HR.</td>
</tr>
</tbody>
</table>

Please continue on another sheet if you need to.
# Annex A

## Notification of Maternity Leave

Notification of pregnancy and the commencement details of maternity leave & maternity leave entitlement.

### Employee Details

<table>
<thead>
<tr>
<th>Surname</th>
<th>Forename</th>
<th>Directorate</th>
<th>Employee No</th>
<th>Division</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Contract Hrs</th>
<th>Do you work on the Frontline?</th>
<th>Start date of continuous NHS service</th>
<th>If Yes, when was this completed?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Have you received a Risk Assessment?</th>
<th>Outcome of Risk Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Maternity Leave Details

I wish to confirm that I am taking my entitlement of up to 52 weeks Maternity Leave.

1. My Final day at work will be
2. I wish to start my Maternity Leave on:
3. My expected date of childbirth
4. I enclose a copy of a certificate (MAT B1) - required at least 16 weeks prior to expected date of childbirth
5. I do / do not intend to return to work (28 days notice required to confirm date of return to work)
6. My expected date to return to work is
7. Aware of KIT days? [

### Certification of Maternity Leave

I certify that the above information is correct and give me authority to amend my records.

<table>
<thead>
<tr>
<th>Employee's Name</th>
<th>Employee's Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Line Manager Name</th>
<th>Line Manager Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Certification of Occupational Maternity Pay Entitlement

I understand that if I do not return to work after receiving Occupational Maternity Pay I will be required to pay back the difference between Occupational Maternity Pay and any Statutory Maternity Pay I may be entitled to.

<table>
<thead>
<tr>
<th>Employee's Name</th>
<th>Employee's Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If you have any questions or require further information, please contact your local HR Staff Benefits & Welfare Coordinator.
# Notification of Paternity Leave

## Employee Details

<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surname</td>
<td></td>
</tr>
<tr>
<td>Forename</td>
<td></td>
</tr>
<tr>
<td>Directorate</td>
<td></td>
</tr>
<tr>
<td>Employee No</td>
<td></td>
</tr>
<tr>
<td>Division</td>
<td></td>
</tr>
<tr>
<td>Location</td>
<td></td>
</tr>
</tbody>
</table>

## Paternity Leave Details

- **1.** My final day at work will be [Date] 20 [Month] 20 [Year]
- **2.** I wish to start my Paternity Leave on [Date] 20 [Month] 20 [Year]
- **3.** My expected date of childbirth is [Date] 20 [Month] 20 [Year]
- **4.** I have attached a completed SG3 (Statutory Paternity Pay / Paternity Leave Form)
- **5.** I have informed my Line Manager and the Scheduling Centre (Rostered employee’s only) of my intention to take Paternity Leave and the dates requested
- **6.** I would like to request additional days annual leave immediately following my Paternity Leave (if yes, please discuss with your Line Manager / Scheduling Centre Department)

## Certification of Paternity Pay Entitlement

I certify that the above information is correct and give authority to amend my records

<table>
<thead>
<tr>
<th>Field</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee’s Name</td>
<td></td>
</tr>
<tr>
<td>Employee’s Signature</td>
<td>Date</td>
</tr>
<tr>
<td>Scheduling Ctr Name (if applicable)</td>
<td>Scheduling Ctr Signature (if applicable)</td>
</tr>
<tr>
<td>Line Manager’s Name</td>
<td>Line Manager’s Signature</td>
</tr>
</tbody>
</table>
**VARIATION FORM**

**REQUEST TO CHANGE EMPLOYEE CONTRACT**

This Form must be completed in full and signed-off by all relevant parties. If being completed electronically, the ESR number can be used instead of a signature.

### SECTION 1  TYPE AND DATE OF CHANGE

<table>
<thead>
<tr>
<th>Type of Change(s)</th>
<th>Date of change</th>
<th>Type of Change(s)</th>
<th>Date of change</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### SECTION 2  EMPLOYEE DETAILS

<table>
<thead>
<tr>
<th>Forename(s)</th>
<th>Surname</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>ESR Number</td>
<td></td>
</tr>
</tbody>
</table>

Please complete with full name, do not use nicknames.

### SECTION 3  CONTRACT CHANGE DETAILS

See guidance notes for clarification of whether financial approval is required.

#### Current Contract Details

<table>
<thead>
<tr>
<th>Supervisor</th>
<th>Team</th>
<th>Job Title</th>
<th>Professional Registration Number</th>
<th>Department</th>
<th>Directorate</th>
<th>Location</th>
<th>Total Hrs</th>
<th>WTE</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Changes</th>
<th>Supervisor</th>
<th>Team</th>
<th>Job Title</th>
<th>Professional Registration Number</th>
<th>Department</th>
<th>Directorate</th>
<th>Location</th>
<th>Total Hrs</th>
<th>WTE</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Contract Type</th>
<th>Fixed Term &amp; Secondments</th>
<th>End Date</th>
<th>Reason for extension</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Other change - Brief description here, full details to be completed in section 5</th>
</tr>
</thead>
</table>

#### Current Allowances

<table>
<thead>
<tr>
<th>Current Allowances</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unsoc Hours (By Band)</td>
<td>Unsoc Hours (By Band)</td>
</tr>
<tr>
<td>Band 1.7</td>
<td>Band 1.7</td>
</tr>
<tr>
<td>Band 8.9</td>
<td>Band 8.9</td>
</tr>
<tr>
<td>High Cost Area %</td>
<td>High Cost Area %</td>
</tr>
<tr>
<td>Other</td>
<td>Other</td>
</tr>
<tr>
<td>Comments</td>
<td>Comments</td>
</tr>
</tbody>
</table>

#### Current Financial Information

<table>
<thead>
<tr>
<th>Current Financial Information</th>
<th>Changes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Band</td>
<td>Band</td>
</tr>
<tr>
<td>Point</td>
<td>Point</td>
</tr>
<tr>
<td>Salary (£)</td>
<td>Salary (£)</td>
</tr>
<tr>
<td>Increment Date</td>
<td>Increment Date</td>
</tr>
<tr>
<td>Finance Code</td>
<td>Finance Code</td>
</tr>
</tbody>
</table>

FORM. ESRVariation/V4/Jun 2013
REQUEST TO CHANGE EMPLOYEE CONTRACT

SECTION 4 AUTHORISATION

Part A: To be completed for all changes

I confirm that the above change is within budget or does not require financial authorisation

Manager/Budget Holder's Name  Manager/Budget Holder's Signature  Date

Part B: For changes which require financial authorisation - to be completed by Finance

I confirm that the above change is within budget

Finance Manager's Name  Finance Manager's Signature  Date

Director of Finance's (or CEO) Name  Director of Finance's (or CEO) Signature  Date

Notes

SECTION 5 FOR HR/RECRUITMENT/PAYROLL USE ONLY

HR/Recruitment Comments

HR system updated by:

Name  Signature  Date

Notes for payroll

SECTION 6 ALL ADDITIONAL CHANGES

Please use this section to detail all changes not covered in the rest of the form
Entitlement to Maternity or Adoption Leave/Pay Flowchart

Is there an intention to return to work after maternity/Adoption leave?

- **YES**
  - Does the employee have 12 months continuous service with one or more NHS employers at the beginning of the eleventh 11 week before the EWC/Adoption placement?
    - **YES**
      - Entitled to 39 weeks’ paid occupational Maternity/Adoption Leave/Pay in accordance with Section 9.1 followed by up to 13 weeks’ unpaid additional maternity leave, if the employee:
        - Provides evidence of the week of childbirth/adoption (MAT B1 form/matching certificate); and
        - Gives at least 28 days notice of the commencement of their maternity/adoption leave
    - **NO**
      - May be entitled to 39 weeks’ Maternity/Adoption Allowance which is administered by the Benefits Agency, if the employee:
        - Provides evidence of their expected week of childbirth/adoption (MAT B1 form or matching certificate); and
        - Gives at least 28 days’ notice of the commencement of their maternity/adoption leave
  - **NO**
    - Does the employee earn more than the lower earnings limit for National Insurance?
      - **NO**
      - Does the employee have 12 months continuous service with one or more NHS employers at the beginning of the eleventh 11 week before the EWC/Adoption placement?
        - **YES**
          - Entitled to 39 weeks’ Statutory Maternity/Adoption Pay followed by up to 13 weeks’ unpaid additional maternity leave, if the employee:
            - Provides evidence of her expected week of childbirth/adoption (MAT B1 form or matching certificate); and
            - Gives at least 28 days’ notice of the commencement of their maternity/adoption leave
        - **NO**
          - **YES**
            - Entitled to 39 weeks’ Statutory Maternity/Adoption Pay followed by up to 13 weeks’ unpaid additional maternity leave, if the employee:
              - Provides evidence of her expected week of childbirth/adoption (MAT B1 form or matching certificate); and
              - Gives at least 28 days’ notice of the commencement of their maternity/adoption leave

- **NO**
  - **YES**
    - Does the employee have 12 months continuous service with one or more NHS employers at the beginning of the eleventh 11 week before the EWC/Adoption placement?
      - Entitled to 39 weeks’ Statutory Maternity/Adoption Pay followed by up to 13 weeks’ unpaid additional maternity leave, if the employee:
        - Provides evidence of her expected week of childbirth/adoption (MAT B1 form or matching certificate); and
        - Gives at least 28 days’ notice of the commencement of their maternity/adoption leave
Entitlement to Paternity Leave/Pay Flowchart

Is there an intention to return to work after paternity leave?

YES  NO

Does the employee have at least 12 months' service at the beginning of the 11th week before the expected week of childbirth/adoption placement?

YES  NO

Entitled to 2 weeks’ paid occupational Paternity Leave/Pay, if the employee:

- Has or expects to be having responsibility for the upbringing of the child;
- Is the biological father, or married, or partner to be of child’s mother or adopter;
- Provides evidence of the expected week of childbirth/adoption placement (MAT B1 form/matching form); and
- Gives at least 28 days’ notice of their wish to take paternity leave

Entitled to take 2 weeks’ unpaid leave.

Has the employee worked for the Trust for 26 continuous weeks at the Qualifying Week (i.e. w/c 15th week before the expected week of childbirth/adoption placement)?

NO  YES

Does the employee earn more than the lower earnings limit for National Insurance?

NO  YES

Entitled to 2 weeks’ Statutory Paternity Pay/Leave, if the employee:

- Has or expects to be having responsibility for the upbringing of the child;
- Is the biological father, or married, or partner to be of child’s mother or adopter;
- Provides evidence of the expected week of childbirth/adoption (MAT B1/matching form); and
- Gives at least 28 days’ notice of the commencement of their paternity leave
Entitlement to Parental Leave Flowchart

Does the employee have at least one years’ service at the point of applying for leave?

YES

Is the child adopted?

YES

Entitled to take 13 weeks’ unpaid parental leave up to and including the 5th anniversary of the date of placement or the date of the child’s 18th birthday, whichever is earlier.

NO

Entitled to take 13 weeks’ unpaid parental leave up to and including the child’s 5th birthday.

The following must be demonstrated by the employee when applying for parental leave:

- That they are responsible for the child for whom they are taking parental leave.
- The child’s date of birth or the date of formal placement for adoption.
- The child’s entitlement to disability allowance.

In all circumstances, when the child is disabled (if they are entitled to a disability living allowance) unpaid parental leave may be taken up to and including the child’s 18th birthday.
ANNEX G: SPL Form 1 - Notice of curtailment of maternity adoption leave

You should complete this form to inform us that you wish to bring your maternity/adoption leave to an end in order for you and/or your partner to take Shared Parental Leave ("SPL").

You can give notice before or after you give birth/the child is placed for adoption but you cannot end your maternity leave until at least two [four IF WORKING IN A FACTORY] weeks after the birth (or, in the case of adoption, until the end of the first two weeks of adoption leave).

Before submitting this form you should be aware that, once it has been accepted by us, you will not be able to withdraw it unless:

- it transpires that you are not in fact entitled to take SPL; or
- for maternity leave, you submit this form before the birth of your child and within eight weeks (or six weeks after the birth) you change your mind; or
- the person with whom you were intending to share SPL unfortunately dies.

You should refer to our Shared Parental Leave Policy and/or speak to HR for further information before completing this form.

<table>
<thead>
<tr>
<th>Section A: Basic information (maternity)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Employee's name</td>
</tr>
<tr>
<td>2. Child's expected week of birth</td>
</tr>
<tr>
<td>3. Child's actual date of birth (if known)</td>
</tr>
<tr>
<td>4. Child's name (if known)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section A: Basic information (adoption)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Employee's name</td>
</tr>
<tr>
<td>2. Date matched with child</td>
</tr>
<tr>
<td>3. (Expected) Date of placement</td>
</tr>
<tr>
<td>4. Child's name</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section B: Maternity/adoption leave and statutory maternity/adoption pay</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Date on which maternity/adoption leave commenced or will commence</td>
</tr>
</tbody>
</table>
Section C: Declaration

I confirm that I wish to end my maternity/adoption leave with effect from the date given at section B1 above. I understand that, in signing this notice, I forego my entitlement to maternity/adoption leave and maternity/adoption pay from that date and that I will not be able to withdraw this notice except in the circumstances specified in the Company’s Shared Parental Leave Policy.

[If I confirm that I have completed and submitted an opt-in notice to take SPL (SPL Form 2) and shared parental pay.] OR [I confirm that the child’s father/my partner has given his or her employer an opt-in notice to take shared parental leave and pay and that I have given the necessary declarations in that notice]. **PLEASE DELETE AS APPROPRIATE**

Signed ……………………………

Date ……………………………
You should complete this form to give us notice of your entitlement and intention to take shared parental leave ("SPL") following the birth or adoption of a child. You should refer to our Shared Parental Leave Policy and/or speak to HR for further information and to check your entitlement before completing this form.

If you are the child's mother or primary adopter you must also submit a signed notice of curtailment (SPL Form 1) to bring your entitlement to maternity or adoption leave and maternity/adoption pay to an end.

**Section A: Basic information**

**Guidance note:** SPL may be shared between a child's mother and either the child's father or the person who, at the date of the child's birth, is her partner or, in the case of adoption, the adoptive parents. Both parties must expect to share the main responsibility for the child's upbringing.

"Partner" means the mother's spouse, civil partner or other person living with her in an enduring family relationship but who is not her sibling, parent, child, grandparent, aunt, uncle niece or nephew.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Employee's name</td>
</tr>
<tr>
<td>2</td>
<td>I am the child's mother*/father*/mother's partner*</td>
</tr>
<tr>
<td>3</td>
<td>Name of person with whom you are sharing parental leave</td>
</tr>
<tr>
<td>4</td>
<td>Child's expected week of birth/week you were matched with your child</td>
</tr>
<tr>
<td>5</td>
<td>Child's actual date of birth/date of placement (if known)</td>
</tr>
<tr>
<td>6</td>
<td>Child's name (if known)</td>
</tr>
</tbody>
</table>

**Section B: Maternity or adoption leave and statutory maternity/adoption pay/maternity allowance**

**Guidance note:** If you are the mother, please give your maternity/adoption leave (ML/AL) dates below. If you are still on ML/AL you must also submit a maternity or adoption leave curtailment notice to bring your ML/AL to an end.

If you are the child's father or the mother's partner, please give the mother's ML/AL dates.
If she is not entitled to statutory ML/AL (for example, because she is an agency worker, self-employed or unemployed), give the dates that she started and ended (or will end) her statutory maternity pay (SMP), statutory adoption pay (SAP) or maternity allowance (MA) period, as applicable. She must give her employer notice to curtail her ML/AL or SMP/SAP period or give notice to the Department for Work and Pensions to curtail her MA period as appropriate.

<table>
<thead>
<tr>
<th></th>
<th>ML / AL / SMP / SAP / MA start date</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>ML / AL / SMP / SAP / MA end date</td>
</tr>
<tr>
<td>3</td>
<td>Total ML / AL / SMP / SAP / MA taken by date SPL starts (weeks)</td>
</tr>
</tbody>
</table>

**Section C: Shared parental leave**

**Guidance note:** The total SPL available is 52 weeks minus the mother’s ML/AL, SMP/SAP or MA period (see B3).

The first period of SPL cannot start until at least two weeks after the child is born (or, in the case of adoption, until the end of the first two weeks of adoption leave) and at least eight weeks after you submit this opt-in notice.

The total number of weeks in box 1 can be split between you and the person you will share SPL with.

<table>
<thead>
<tr>
<th></th>
<th>Total SPL available (weeks).</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Number of weeks’ SPL that you intend to take</td>
</tr>
<tr>
<td>3</td>
<td>Number of weeks’ SPL that the person you will share SPL with intends to take</td>
</tr>
<tr>
<td>4</td>
<td>Dates on which you would like to take SPL</td>
</tr>
</tbody>
</table>
Section D: Statutory shared parental pay ("ShPP")

**Guidance note:** The total ShPP available is 39 weeks minus the mother's SMP/SAP or MA period (see B3).

The total number of weeks of ShPP at box 1 can be split between you and the person you will share SPL with.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Total ShPP available (weeks)</td>
</tr>
<tr>
<td>2</td>
<td>Number of weeks' ShPP that you intend to receive</td>
</tr>
<tr>
<td>3</td>
<td>Number of weeks' ShPP that the person you will share SPL with intends to receive</td>
</tr>
<tr>
<td>4</td>
<td>Dates on which you would like to receive ShPP</td>
</tr>
</tbody>
</table>

Section E: Employee's declaration

**Guidance note:** "Child" means the child referred to in Section A.

"Partner“ means spouse, civil partner or other person living with you in an enduring family relationship but not a sibling, parent, child, grandparent aunt, uncle niece or nephew.

I am the child's mother/adoptive parent/father/mother's partner*. I confirm that I am entitled to shared parental leave and meet the following conditions:

- I have been employed by the Company continuously for at least 26 weeks' at the end of the 15th week before the expected week of childbirth or the date you were matched with your child, given in section A4, and have remained continuously employed by the Company since then.
- I will share the primary responsibility for caring for the child referred to in section A.
together with the person named at section A3.

- I am entitled to statutory maternity/adoption leave. I [have submitted a notice of curtailment of maternity/adoption leave (Form 2) / will submit a notice of curtailment of maternity/adoption leave (Form 2)] before the person I am sharing SPL with takes SPL and at least eight weeks before the first date on which I intend to take SPL/I have already ended my maternity or adoption leave by returning to work.* (Delete as appropriate and delete whole paragraph if you are not the mother.)

- If requested to do so, I will provide the Company with a copy of the birth certificate of the child referred to in section A (or, in the case of adoption, the requested documentation from the adoption agency) and/or the name and address of the employer of the person named at section A3.

- My normal weekly earnings in the eight week period ending with the 15th week before the expected week of childbirth or date you were matched with your child were not less than the lower earnings limit (£111 for 2014/15).

- I intend to care for the child during each week that I am on SPL and receiving ShPP.

I confirm that I will immediately inform HR if I cease to care for the child referred to in section A, or to otherwise satisfy the conditions for entitlement to SPL or ShPP.

The information I have given in this notice is true and accurate.

Signed ……………………………
Date ……………………………
Either

I am the mother of the child referred to at section A and I am/was* entitled to maternity/adoption leave and statutory maternity pay/statutory adoption pay/maternity allowance*. I confirm that I have now curtailed my maternity/adoption leave and entitlement to statutory maternity pay/statutory adoption pay/maternity allowance/will have curtailed my maternity/adoption leave and entitlement to statutory maternity pay/statutory adoption pay/maternity allowance by the time your employee commences shared parental leave.*

or

- I am the child's father/partner of the child's mother*
- I will share the primary responsibility for the care of the child referred to in section A with your employee.
- I have worked in an employed or self-employed capacity in at least 26 of the 66 weeks immediately before the expected week of childbirth or week we were matched with our child given at section A4.
- My average weekly earnings are at least £30. This is based on the 13 weeks in which I received the highest earnings in the 66 weeks immediately before the expected week of childbirth or week we were matched with our child, given at section A4.

I confirm that I consent to your employee taking SPL and claiming ShPP as set out in this notice and will immediately inform them if I cease to satisfy any of the conditions in this declaration.

I consent to the information in this declaration being used for the purposes of administering shared parental leave and pay.

Signed ……………………………

Date ……………………………..
ANNEX H: Form 2: Opt in notice for shared parental leave and shared parental pay

You should complete this form to give us notice of your entitlement and intention to take shared parental leave ("SPL") following the birth or adoption of a child. You should refer to our Shared Parental Leave Policy and/or speak to HR for further information and to check your entitlement before completing this form.

If you are the child's mother or primary adopter you must also submit a signed notice of curtailment (SPL Form 1) to bring your entitlement to maternity or adoption leave and maternity/adoption pay to an end.

### Section A: Basic information

**Guidance note:** SPL may be shared between a child's mother and either the child's father or the person who, at the date of the child's birth, is her partner or, in the case of adoption, the adoptive parents. Both parties must expect to share the main responsibility for the child's upbringing.

"Partner“ means the mother’s spouse, civil partner or other person living with her in an enduring family relationship but who is not her sibling, parent, child, grandparent, aunt, uncle, niece or nephew.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Employee's name</td>
</tr>
<tr>
<td>2</td>
<td>I am the child's mother*/father*/mother’s partner*</td>
</tr>
<tr>
<td>3</td>
<td>Name of person with whom you are sharing parental leave</td>
</tr>
<tr>
<td>4</td>
<td>Child's expected week of birth/week you were matched with your child</td>
</tr>
<tr>
<td>5</td>
<td>Child's actual date of birth/date of placement (if known)</td>
</tr>
<tr>
<td>6</td>
<td>Child's name (if known)</td>
</tr>
</tbody>
</table>

### Section B: Maternity or adoption leave and statutory maternity/adoption pay/maternity allowance

**Guidance note:** If you are the mother, please give your maternity/adoption leave (ML/AL) dates below. If you are still on ML/AL you must also submit a maternity or adoption leave curtailment notice to bring your ML/AL to an end.

*If you are the child's father or the mother's partner, please give the mother's ML/AL dates.*
If she is not entitled to statutory ML/AL (for example, because she is an agency worker, self-employed or unemployed), give the dates that she started and ended (or will end) her statutory maternity pay (SMP), statutory adoption pay (SAP) or maternity allowance (MA) period, as applicable. She must give her employer notice to curtail her ML/AL or SMP/SAP period or give notice to the Department for Work and Pensions to curtail her MA period as appropriate.

<table>
<thead>
<tr>
<th></th>
<th>ML / AL / SMP / SAP / MA start date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>ML / AL / SMP / SAP / MA end date</td>
</tr>
<tr>
<td>2</td>
<td>Total ML / AL / SMP / SAP / MA taken by date SPL starts (weeks)</td>
</tr>
</tbody>
</table>

Section C: Shared parental leave

Guidance note: The total SPL available is 52 weeks minus the mother’s ML/AL, SMP/SAP or MA period (see B3).

The first period of SPL cannot start until at least two weeks after the child is born (or, in the case of adoption, until the end of the first two weeks of adoption leave) and at least eight weeks after you submit this opt-in notice.

The total number of weeks in box 1 can be split between you and the person you will share SPL with.

<table>
<thead>
<tr>
<th></th>
<th>Total SPL available (weeks).</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Number of weeks’ SPL that you intend to take</td>
</tr>
<tr>
<td>2</td>
<td>Number of weeks’ SPL that the person you will share SPL with intends to take</td>
</tr>
<tr>
<td>3</td>
<td>Dates on which you would like to take SPL</td>
</tr>
<tr>
<td>4</td>
<td>Number of weeks’ SPL that you intend to take</td>
</tr>
<tr>
<td>5</td>
<td>Number of weeks’ SPL that the person you will share SPL with intends to take</td>
</tr>
<tr>
<td>6</td>
<td>Dates on which you would like to take SPL</td>
</tr>
<tr>
<td>7</td>
<td>Number of weeks’ SPL that you intend to take</td>
</tr>
<tr>
<td>8</td>
<td>Number of weeks’ SPL that the person you will share SPL with intends to take</td>
</tr>
<tr>
<td>9</td>
<td>Dates on which you would like to take SPL</td>
</tr>
</tbody>
</table>
Please tick here if you would like this to be treated as a formal request to take SPL on the above dates, and you will not be submitting a separate notice of period of leave notice (Form 3)

<table>
<thead>
<tr>
<th>Section D: Statutory shared parental pay (&quot;ShPP&quot;)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guidance note: The total ShPP available is 39 weeks minus the mother’s SMP/SAP or MA period (see B3). The total number of weeks of ShPP at box 1 can be split between you and the person you will share SPL with.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>1</th>
<th>Total ShPP available (weeks)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Number of weeks’ ShPP that you intend to receive</td>
</tr>
<tr>
<td>3</td>
<td>Number of weeks’ ShPP that the person you will share SPL with intends to receive</td>
</tr>
<tr>
<td>4</td>
<td>Dates on which you would like to receive ShPP</td>
</tr>
</tbody>
</table>

Section E: Employee’s declaration

Guidance note: "Child" means the child referred to in Section A. "Partner" means spouse, civil partner or other person living with you in an enduring family relationship but not a sibling, parent, child, grandparent aunt, uncle niece or nephew.

I am the child's mother/adoptive parent/father/mother's partner*. I confirm that I am entitled to shared parental leave and meet the following conditions:

- I have been employed by the Company continuously for at least 26 weeks' at the end of the 15th week before the expected week of childbirth or the date you were matched with your child, given in section A4, and have remained continuously employed by the Company since then.
- I will share the primary responsibility for caring for the child referred to in section A.
together with the person named at section A3.

- I am entitled to statutory maternity/adoption leave. I [have submitted a notice of curtailment of maternity/adoption leave (Form 2) / will submit a notice of curtailment of maternity/adoption leave (Form 2)] before the person I am sharing SPL with takes SPL and at least eight weeks before the first date on which I intend to take SPL/I have already ended my maternity or adoption leave by returning to work.* (Delete as appropriate and delete whole paragraph if you are not the mother.)

- If requested to do so, I will provide the Company with a copy of the birth certificate of the child referred to in section A (or, in the case of adoption, the requested documentation from the adoption agency) and/or the name and address of the employer of the person named at section A3.

- My normal weekly earnings in the eight week period ending with the 15th week before the expected week of childbirth or date you were matched with your child were not less than the lower earnings limit (£111 for 2014/15).

- I intend to care for the child during each week that I am on SPL and receiving ShPP.

I confirm that I will immediately inform HR if I cease to care for the child referred to in section A, or to otherwise satisfy the conditions for entitlement to SPL or ShPP.

The information I have given in this notice is true and accurate.

Signed ……………………………
Date ……………………………….

### Section F: Declaration by person taking shared parental leave with employee

**Guidance note:** "The employee" and "the child" are the employee and child referred to in Section A.

*If the employee is the child's mother, you must be the child's father or the mother's partner.*

*If the employee is not the child's mother, you must be the child's mother.*

"Partner" means spouse, civil partner or other person living with you in an enduring family relationship but not a sibling, parent, child, grandparent aunt, uncle niece or nephew.

<table>
<thead>
<tr>
<th>Name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>National Insurance number</td>
<td></td>
</tr>
</tbody>
</table>
Employer’s name and address (if employed) or business address (if self-employed)

Either

I am the mother of the child referred to at section A and I am/was* entitled to maternity/adoption leave and statutory maternity pay/statutory adoption pay/maternity allowance*. I confirm that I have now curtailed my maternity/adoption leave and entitlement to statutory maternity pay/statutory adoption pay/maternity allowance/will have curtailed my maternity/adoption leave and entitlement to statutory maternity pay/statutory adoption pay/maternity allowance by the time your employee commences shared parental leave.*

or

- I am the child's father/partner of the child's mother*
- I will share the primary responsibility for the care of the child referred to in section A with your employee.
- I have worked in an employed or self-employed capacity in at least 26 of the 66 weeks immediately before the expected week of childbirth or week we were matched with our child given at section A4.
- My average weekly earnings are at least £30. This is based on the 13 weeks in which I received the highest earnings in the 66 weeks immediately before the expected week of childbirth or week we were matched with our child, given at section A4.

I confirm that I consent to your employee taking SPL and claiming ShPP as set out in this notice and will immediately inform them if I cease to satisfy any of the conditions in this declaration.

I consent to the information in this declaration being used for the purposes of administering shared parental leave and pay.

Signed ……………………………

Date ……………………………
ANNEX I: SPL Form 3: Notice of period of shared parental leave

You should complete this form to inform us of the dates on which you wish to take Shared Parental Leave ("SPL"). You should complete and submit this form to us at least eight weeks before you wish to begin a period of SPL and at the same time or after SPL Form 2. Provided that sufficient notice is given, you are entitled to vary these dates by completing and submitting a notice of variation of period of shared parental leave (SPL Form 4).

You do not need to complete this form if you have ticked the box at section C4 of your Opt-In Notice for SPL and shared parental pay (SPL Form 2).

You should refer to our Shared Parental Leave Policy and/or speak to HR for further information before completing this form.

<table>
<thead>
<tr>
<th>Section A: Basic information (maternity)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1   Employee's name</td>
</tr>
<tr>
<td>2   Child's expected week of birth</td>
</tr>
<tr>
<td>3   Child's actual date of birth (if known)</td>
</tr>
<tr>
<td>4   Child's name (if known)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section A: Basic information (adoption)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1   Employee's name</td>
</tr>
<tr>
<td>2   Date matched with child</td>
</tr>
<tr>
<td>3   (Expected) Date of placement</td>
</tr>
<tr>
<td>4   Child's name</td>
</tr>
</tbody>
</table>

| Section B: Notice of period of leave                        |

**Guidance note:** If you are submitting this form before the child is born or placed with you for adoption, instead of specifying an actual date you can state that you would like to start the SPL on the day the child is born or placed with you (or a number of days following that day). You could also state the end date as a number of days following the child's birth/placement.

| 1   Date on which you wish to begin SPL                      |
| 2   Date on which you wish to end SPL                        |
| 3   [If you wish to take this period of SPL                  |


I confirm that I wish to take SPL on the dates detailed above. I understand that I must give the company at least eight weeks’ written notice if I wish to vary these dates.

Signed ............................
Date .................................
ANNEX J: SPL Form 4: Notice to cancel or change period of shared parental leave

You should complete this form to inform us if you wish to cancel or change the dates on which you take Shared Parental Leave ("SPL"). You should complete and submit this form to us at least eight weeks before the original start date and the new start date.

You should refer to our Shared Parental Leave Policy and/or speak to HR for further information before completing this form.

<p>| | |</p>
<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Employee's name</td>
</tr>
<tr>
<td>2</td>
<td>Previous intended SPL start date</td>
</tr>
<tr>
<td>3</td>
<td>Previous intended SPL end date</td>
</tr>
<tr>
<td>4</td>
<td>Do you wish to cancel your SPL altogether?</td>
</tr>
</tbody>
</table>

If you wish to change the dates of your SPL, please fill in the information below:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>New SPL start date</td>
</tr>
<tr>
<td>6</td>
<td>New SPL end date</td>
</tr>
<tr>
<td>7</td>
<td>If you wish to take this period of SPL split into shorter periods with periods of work in between, please provide details and information as to dates here.</td>
</tr>
</tbody>
</table>

I confirm that I wish to vary the dates on which I take SPL as detailed above. I understand that I need to give the Company at least eight weeks' written notice if I wish to make any further variations to the dates on which I take SPL.

Signed ..............................
Date .................................