

PARENTAL LEAVE GUIDANCE

(incorporating unpaid parental leave and shared parental leave)

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Related policies:

Adoption Leave	Overpayments and Underpayments Policy and Procedure
Annual Leave Policy	New Parent Support (Paternity) Leave
Flexible Working Policy	NHS Terms and Conditions of Service Handbook
Maternity Leave Guidance	Wellbeing at Work Policy

1 Introduction

This guidance applies to all staff irrespective of their Age, Disability, Gender reassignment, Marriage and Civil partnership, Pregnancy and Maternity, Race, Religion and Belief, Sex and Sexual orientation.

This guidance is intended for any employee wishing to take either unpaid parental leave or shared parental leave.

It outlines eligibility and entitlement, however, further advice can be obtained from the Human Resources Department.

2 Health and Safety

Women who have recently given birth must take 2 weeks statutory maternity leave. If adopting, the person claiming adoption pay must take at least 2 weeks of adoption leave. Shared parental leave cannot be taken during this period.

Managers must carry out the Trust's New and Expectant Mothers' Risk Assessment for:

- a) pregnant employees;
- b) any employee returning to work within 6 months of giving birth;¹
- c) breastfeeding mothers on their return to work.

Where risks are identified, the manager should take reasonable steps to remove them, e.g. by amending duties, offering different work or changing the employee's hours.

If the risks cannot be reasonably removed, suspension on full pay should be considered after taking advice from the Health and Safety Officer and Human Resources Department.

Risk assessments should be reviewed / revisited following any change in role and / or change in the employee's health status.

Suitable rest facilities must be provided for pregnant and breastfeeding employees.

3 Unpaid parental leave

Eligible employees can take unpaid parental leave to look after their child's welfare, e.g. to:

- spend more time with their children
- look at new schools
- settle children into new childcare arrangements
- spend more time with family, such as visiting grandparents.

¹ including a still birth after 24 weeks of pregnancy.

Their employment rights are protected during parental leave.

Parental leave is unpaid. You are entitled to take 18 weeks' leave for each child and adopted child, up to their 18th birthday.

The limit on how much parental leave you can take in a year is 4 weeks for each child.

You must take parental leave as whole weeks rather than individual days. The exception to this is if your child had a disability. A whole week is the total number of days you normally work in a week i.e. if you work 3 days a week, a whole week is 3 days.

If an employee works irregular hours (such as annualised hours) the number of days in a week is the total number of hours they work a year divided by 52.

The leave does not have to be taken all at once.

Parental leave applies to each child, not the individual's job. For example, if an employee has taken 10 weeks' parental leave with a previous employer/s, they can use up to 8 weeks' leave with their new employer.

3.1 Eligibility to take unpaid parental leave

Employees qualify if all of the following apply:

- they have worked for the Trust for at least a year
- they are named on the child's birth or adoption certificate or they have parental responsibility
- they are not a 'worker', e.g. an agency worker or contractor
- the child is under 18.

It is reasonable to ask for proof (such as a birth certificate), however, employees should only have to provide evidence once, not for each subsequent request.

3.1.1 Foster parents

Whilst there is no statutory right for foster parents to take parental leave, the Trust recognises the need for foster parents to balance their fostering and work responsibilities. As such, managers will consider any request for parental leave from foster parents in the same manner as any other parent.

3.2 Process for applying for unpaid parental leave

You must complete the unpaid parental leave application form (Appendix 3) giving your manager at least 21 days' notice.

A manager cannot refuse your request for unpaid parental leave if:

- they do not have a 'significant reason' e.g. it would cause serious disruption to the service;
- the leave is being taken by the father or partner immediately after the birth or adoption of the child;
- it means you would no longer qualify for parental leave e.g. postponing the leave until after the child's 18th birthday.

If a manager wishes to postpone the request for unpaid parental leave they must:

- explain the reason in writing within 7 days of the request;
- suggest a new start date – this must be within 6 months of the requested start date;
- honour the amount of leave requested, e.g. if the original request is for 3 weeks they must allow the employee to take 3 weeks.

4 Shared parental leave and pay

Shared parental leave (SPL) enables eligible parents to choose how to share the care of the child during the first year of birth or adoption. Its purpose is to give parents more flexibility in considering how to best care for, and bond with, their child. All eligible employees have a statutory right to take shared parental leave.

If you're eligible for shared parental leave you can use it to take leave in blocks of whole weeks separated by periods of work, instead of taking it all in one go.

Following the 2 weeks of statutory maternity or adoption leave you can choose to take the remaining 50 weeks as SPL.

You can take shared parental leave at the same time as your partner.

4.1 Eligibility

It is the **employee's** responsibility to check that they are eligible for shared parental leave and pay. The Trust will grant leave and pay based on the information and declarations provided by the employee. If it is subsequently discovered that the employee was overpaid as they were not entitled to receive shared parental pay, the overpayment will be recovered in line with the Trust's Overpayments and Underpayments Policy and Procedure.

4.1.1 Shared parental leave

Each parent qualifies separately for shared parental leave and statutory shared parental pay (ShPP).

To qualify for SPL, you must share responsibility for the child with one of the following:

- your spouse, civil partner or joint adopter;

- the child's other parent;
- your partner (if they live with you and the child).

Both parents must share the main responsibility for the care of the child at the time of the birth or placement for adoption.

In addition, any employee wishing to take SPL must satisfy **each** of the following criteria:

- the mother/adopter of the child must be entitled to maternity/adoption leave and must have ended or given notice to end their maternity/adoption leave;
- the employee must still be working for the Trust at the start of each period of SPL;
- the employee must have worked for the Trust continuously for at least 26 weeks at the end of the 15th week before the child's expected due date or the week the employee is matched with a child if adopting.

During the 66 weeks before the week the baby is due or the week you are matched with your child, your partner must:

- have been working for at least 26 weeks (these do not have to be consecutive weeks);
- Have earned the minimum amount².

This can be as an employee, worker, or if they are self-employed. Your partner doesn't have to be working at the date of the birth or when you start SPL or ShPP.

4.1.2 Statutory Shared Parental Pay (ShPP)

ShPP is paid at the statutory rate³

You can get ShPP if you're an employee and one of the following applies:

- you're eligible for statutory maternity pay (SMP) or statutory adoption pay (SAP);
- you're eligible for statutory paternity pay (SPP) and your partner is eligible for SMP, maternity allowance (MA) or SAP.

4.1.3 Occupational Shared Parental Pay

An employee working full-time or part-time will be entitled to paid and unpaid shared parental leave under the NHS occupational shared parental leave and pay scheme if:

- they have 12 months' continuous service⁴ with one or more NHS employers at the beginning of the 11th week before the expected week of childbirth, or at

² Details of the minimum amount can be found at <https://www.gov.uk/shared-parental-leave-and-pay/eligibility>

³ Details of the statutory rate can be found at <https://www.gov.uk/shared-parental-leave-and-pay/what-youll-get>

the beginning of the week in which they are notified of being matched with a child for adoption, or by the 15th week before the baby's due date if applying via a surrogacy arrangement;

- they notify their employer of their wish to take shared parental leave and provide a minimum of eight weeks' notice, which will confirm:
 - a) their intention to take shared parental leave;
 - b) the date(s) they wish to access shared parental leave;
 - c) their intention to return to work with the same or another NHS employer for a minimum period of three months after their shared parental leave has ended;
 - d) that the mother or primary adopter has returned to work following maternity or adoption leave, or has provided the binding notice.

- they confirm that the other parent meets the statutory employment and earnings test by being an employed or self-employed earner in the UK for a total of 26 weeks (not necessarily continuously) in the 66 weeks preceding the week the child is due to be born or matched for adoption. This amount can be amended from time to time by the Secretary of State.

The below table shows the maximum joint entitlement of an eligible couple to occupational shared parental pay. Where either parent has received statutory or occupational maternity pay, maternity allowance or statutory or occupational adoption pay in respect of the child, the below entitlement will be reduced proportionate to the amount either parent has taken or notified as intending to take.

Weeks	Occupational Shared Parental Pay
1-6 weeks	Full pay. Full pay is inclusive of any ShPP. The total receivable cannot exceed full pay
7-24 weeks	Half of full pay plus any ShPP. The total receivable cannot exceed full pay
25 -37 weeks	ShPP that they are entitled to under the statutory scheme
38-50 weeks	No pay

Shared parental leave and pay is a joint entitlement. Details of how occupational and statutory shared parental leave pay is calculated can be found in section 15 of the NHS Terms and Conditions of Service.

4.2 Starting shared parental leave

To start shared parental leave, the mother (or the person taking adoption leave) must either:

- return to work, which ends any maternity leave or adoption leave;

⁴ Paragraphs 15.106 to 15.109 of the NHS terms and conditions of service handbook define the service that can be counted towards the 12 months continuous service qualification.

- give their manager 'binding notice' of the date they plan to end their leave (this date cannot normally be changed once given).

If the mother receives maternity allowance, she must also give notice to Jobcentre Plus.

You can start shared parental leave while your partner is still on maternity or adoption leave as long as they have given binding notice to end it.

4.3 Starting shared parental pay

To start shared parental pay, the mother or adopter must give binding notice of the date they plan to end maternity or adoption pay.

If the mother receives maternity allowance, she must give notice to Jobcentre Plus instead.

The mother or adopter, cannot restart maternity pay, Maternity Allowance or adoption pay once it has ended.

You can start shared parental pay while your partner is still on maternity or adoption leave as long as they have given binding notice to end it.

4.4 Cancelling the decision to end maternity or adoption leave

The mother or adopter may be able to change their decision to end maternity or adoption leave early if both:

- the planned end date hasn't passed;
- they haven't already returned to work.

One of the following must also apply:

- you find out during the 8-week notice period that neither of you is eligible for SPL or ShPP;
- the mother or adopter's partner has died;
- the mother tells her manager less than 6 weeks after the birth (and she gave notice before the birth).

4.5 Process for applying for shared parental leave and pay

The employee should complete the relevant shared parental leave application form with their manager giving at least 8 weeks' notice of the leave dates.

The following forms must be completed:

Form 1 (appendix 3) – this form is completed by the person taking maternity or adoption leave **if they are an employee of the Trust**. The form informs the Trust of their intention to end their maternity or adoption leave early and take shared parental pay.

Form 2 (appendix 4) - this form should be completed by employees of the Trust who are the partner of someone who is taking maternity or adoption leave and wish to take shared parental leave and / or pay. For example, you are the child's father and your partner intends to end her maternity leave early so you can take shared parental leave.

Employees are entitled to submit three separate notices to book leave. This means that employees can book up to three separate blocks for SPL instead of taking it all in one go. Each separate block must be of at least a week. Submitting a variation to change leave already booked will count as one of the three notices.

The manager should forward the application form to lch.hr@nhs.net

The manager should inform IT of the absence to ensure NHS Mail and system log-in is not disabled.

4.6 Shared parental leave in touch days

Shared parental leave in touch (SPLIT) days are in addition to the 10 keeping in touch days available to those on maternity or adoption leave.

Each parent can work up to 20 SPLIT days whilst on shared parental 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.

Any such work must be by agreement and neither the manager nor the employee can insist on it.

The employee will be paid at their basic daily rate for the hours worked, less appropriate shared parental leave payment for SPLIT days worked.

Working for part of any day will count as one SPLIT day.

4.7 Returning to work following shared parental leave

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

If the employee wishes to return to work on different hours, the manager should request an application for flexible working in line with the Flexible Working Policy.

In the event of an illness following the date the employee was due to return to work, normal sickness absence will apply in line with the Trust's Wellbeing at Work Policy.

Managers are required to carry out the New and Expectant Mother's Risk Assessment for women who return to work within 6 months of giving birth.

4.8 Returning to work whilst breastfeeding

The Trust is required to provide somewhere for breastfeeding mothers to rest. Managers and employees are encouraged to discuss the employee's intention to express milk prior to the employee's return to work wherever possible in order that a suitable environment can be considered.

Managers are required to carry out the New and Expectant Mother's Risk Assessment for women who return to work whilst breastfeeding.

5 Annual Leave and Bank Holidays

Employees accrue annual leave and bank holidays during parental leave and shared parental leave.

6 Deductions from salary

6.1 Pensions

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

A factsheet can be found at:

<https://www.nhsbsa.nhs.uk/sites/default/files/2018-09/Maternity%2C%20paternity%2C%20parental%20and%20adoption%20leave%20%2809.2018%29%20%28V5.0%29.pdf>

6.2 Trade union / hospital fund subscriptions

For any subscriptions you pay direct from your salary, you will need to make arrangements to pay them directly during any unpaid parental leave.

6.3 Lease cars

You have the option to return the vehicle during maternity leave or retain the car for your own private mileage at the contracted price. Contact Lease Cars on 0113 3055927 for advice.

6.4 Salary Sacrifice Schemes

If you have taken a benefit such as a salary sacrifice car, cycle through the cycle to work scheme or childcare vouchers, this will affect the amount of maternity/adoption pay you will receive and may affect the amount of shared parental leave you will receive. You should consider carefully the implications of signing up to such a scheme if you are considering having a child during the lifetime of the scheme.

6.4.1 Salary sacrifice car scheme

If you have a salary sacrifice car this will have implications on the amount of maternity/adoption pay you receive and may have an effect on the amount of shared parental leave pay you receive.

The scheme allows for one claim during the duration of the lease to cover maternity/adoption leave. On receipt of your maternity/adoption leave application, HR will forward a copy of your MatB1/matching certificate to the Salary Sacrifice Car Scheme providers in order to make the claim.

6.4.2 Cycle to work scheme

If you have a cycle through the scheme this may have implications on the amount of maternity/adoption pay you receive and may have an effect on the amount of shared parental leave pay you receive.

During maternity/adoption/shared parental leave, your gross salary will be at the reduced level according to the salary sacrifice arrangements. If your monthly salary drops to below the amount of the salary sacrifice, your payments will be suspended until your earnings increase and the length of the loan will extend accordingly.

6.4.3 Childcare vouchers / nursery salary sacrifice scheme

If you wish to continue using your childcare vouchers during your maternity/adoption/shared parental leave you can continue to take childcare vouchers, or to use a childcare place in one of the Trust nurseries, via the salary sacrifice scheme, throughout your paid and unpaid maternity leave.

If you choose to take this option, then your occupational maternity/adoption pay statutory maternity/adoption pay and shared parental leave pay will be calculated on the reduced pay that you currently receive under the salary sacrifice arrangement.

Alternatively, if you do not wish your pay to be reduced, or do not expect to be using childcare during your leave, then you may decide to withdraw from the scheme.

Please note from April 2018, childcare voucher schemes (Fideliti for LCH staff) will be closing to new applicants. Employees who have already signed up will be eligible to keep receiving vouchers. The childcare vouchers schemes are being replaced by the tax free childcare scheme run by HRMC (TFC). For more information about the TFC scheme please visit <https://www.childcarechoices.gov.uk> or contact the TFC team on 0300 123 4907.

APPENDIX 1

Frequently asked questions – Unpaid Parental Leave

- 1. Is parental leave paid?**
No.
- 2. Can I take parental leave in days?**
Yes, if your child has a disability, otherwise it must be taken in full weeks.
- 3. I have recently started with the Trust, can I take parental leave?**
No, you must have worked for the Trust continuously for 1 year.
- 4. How much notice do I have to give my manager?**
At least 3 weeks' notice.
- 5. Can my manager refuse my request for unpaid parental leave?**
No, however, your manager can postpone your leave if the leave would have a significant impact on service delivery.

If you are the father or partner and have asked to take parental leave immediately following the birth or adoption of a child your manager cannot refuse your request to take unpaid parental leave.

Your manager can refuse the request if you have not worked for the Trust continuously for 1 year.
- 6. Will I return to work in my original role?**
You have the right to return to your job under your original contract and on no less favourable terms and conditions. If any changes are proposed due to restructure whilst you are on unpaid parental leave, you will be consulted fully.
- 7. What if I'm too unwell to return to work immediately following my unpaid parental leave?**
You must report as unfit for work in line with your local procedures. Your sickness will be managed in line with the Managing Attendance Policy.
- 8. Can I carry over my annual leave?**
Yes, you will accrue annual leave and bank holidays whilst on unpaid parental leave. If you do not have the opportunity to take the leave within the current leave year, you will be entitled to carry it over to the leave year you are due to return to work following your unpaid parental leave.
- 9. I'm a foster parent, can I take unpaid parental leave?**
Yes.

APPENDIX 2

Frequently asked questions – Shared Parental Leave

- 1. Is shared parental leave and pay right for me?**
You should ensure you and your partner are eligible to take shared parental leave before applying.
- 2. When can I start my shared parental leave?**
From 2 weeks after the birth of the child or the date the child is placed with you if adopting.
- 3. How much notice do I need to give to take a period of shared parental leave?**
8 weeks.
- 4. Do I have to take all my shared parental leave at once?**
No, you can submit up to 3 notices to take shared parental leave.
- 5. Can I take my shared parental leave in odd days?**
No, it must be taken in full weeks.
- 6. Can I take shared parental leave whilst my partner is still on maternity/adoption leave?**
Yes, as long as your partner has given their employer 'binding notice' of their intention to end their maternity/adoption leave.
- 7. Can I take shared parental leave at the same time as my partner?**
Yes.
- 8. Will I return to work in my original role?**
You have the right to return to your job under your original contract and on no less favourable terms and conditions. If any changes are proposed due to restructure whilst you are on shared parental leave, you will be consulted fully.
- 9. What if I'm too unwell to return to work immediately following my maternity/adoption or shared parental leave?**
You must report as unfit for work in line with your local procedures. Your sickness will be managed in line with the Managing Attendance Policy.
- 10. Can I carry over my annual leave?**
Yes, you will accrue annual leave and bank holidays whilst on shared parental leave. If you do not have the opportunity to take the leave within the current leave year, you will be entitled to carry it over to the leave year you are due to return to work following your shared parental leave.

APPENDIX 3

APPLICATION FORM FOR SHARED PARENTAL LEAVE AND PAY (Mother / Adopter)

This form **must be completed** if you are **employed by the Trust**, and you are the **mother/adopter taking maternity or adoption leave**.

Please note if you are intending to take Maternity or Adoption Leave in addition to you will need to complete the application form here on MyLCH.

Maternity Leave Application Form: [Process \(lch.oak.com\)](http://lch.oak.com)

Adoption Leave Application Form: [Process \(lch.oak.com\)](http://lch.oak.com)

Section A: General Information

Payroll Number	
Full Name	
Home Address	
Telephone Number	
Job Title	
Manager's Name	
Manager's Email Address	
LCH / Trust Start Date	
NHS Start Date	
Contract Expiry Date (if applicable)	
Child's Expected Date of Birth OR Date of Matching	
Spouse / Partner's Name	
Spouse / Partner's Address	
Partner's National Insurance Number	

Employee's declaration:	<p>Please accept this as my notice to curtail my maternity or adoption leave and pay.</p> <p>This form is accompanied by notification that either I intend to take shared parental leave and/or shared parental pay or that my partner intends to take shared parental leave and/or shared parental pay.</p> <p>I understand that my maternity or adoption leave and / or maternity or adoption pay will end on the date given in section B.</p> <p>I understand that I can only reinstate my maternity or adoption leave if I revoke this notice before the curtailment date given.</p> <p>I understand that I can only reinstate any statutory maternity or adoption pay that I am eligible for if I revoke this notice before the end date given.</p>		
EMPLOYEE SIGNATURE:		DATE:	

Section B: CURTAILING MATERNITY OR ADOPTION LEAVE

Maternity/Adoption Leave Start Date	
Maternity/Adoption Leave End Date	
Total Number of Weeks of Maternity/Adoption LEAVE Taken	
Total Number of Weeks of Maternity/Adoption PAY Taken	

Please note you **must** take **2 weeks** maternity leave immediately following the birth of your baby. You are not able to work during this period.

Section C: Entitlement To Leave

Number of weeks' Shared Parental Leave Available		Example
Total Number of Weeks Maternity / Adoption Leave Taken		26 weeks (mother ends maternity leave after 26 weeks)
52 Weeks Minus Total Number of Weeks Maternity / Adoption Leave Taken		52 – 26 = 26 weeks shared parental leave available

Number of weeks' shared parental Pay available		Example
39 Weeks Minus Total Number of Weeks Maternity / Adoption Leave Taken		39 – 26 = 13 weeks shared parental pay available

Section D: Intention to Take Leave

Shared Parental Leave

Dates I Intend to Take Shared Parental Leave:			
From:		To:	
Total Number of Weeks:			
From:		To:	
Total Number of Weeks:			
From:		To:	
Total Number of Weeks:			
Total Number of Weeks Shared Parental Leave I Intend to Take:			

Dates My Spouse / Partner Intends to Take Shared Parental Leave:			
From:		To:	
Total Number of Weeks:			
From:		To:	
Total Number of Weeks:			
From:		To:	
Total Number of Weeks:			
Total Number of Weeks Shared Parental Leave My Spouse / Partner Intends to Take:			

Shared Parental Pay

Please note shared parental pay can only be claimed during the 39 weeks following the commencement of maternity / adoption leave.

Dates I Intend to Take Shared Parental Pay			
From:		To:	
Total Number of Weeks:			
From:		To:	
Total Number of Weeks:			
From:		To:	
Total Number of Weeks:			

Dates My Partner Intends to Take Shared Parental Pay			
From:		To:	
Total Number of Weeks:			
From:		To:	
Total Number of Weeks:			
From:		To:	
Total Number of Weeks:			

Section E: Employee's Declaration

Employee's Declaration

- I am giving notice that I am entitled to and intend to take shared parental leave.
- I have, or will have been continuously employed for 26 weeks at the end of the 15th week before the week in which the child is due; **OR**
- I have been continuously employed for 26 weeks at the end of the week in which I (the adopter) was notified of having been matched for adoption.
- I will remain employed with the Trust until any period of shared parental leave ends.
- I have the main responsibility for caring for the child (along with my spouse / partner).
- I am entitled to maternity or adoption leave.
- I have reduced my entitlement to maternity or adoption leave and the

remaining weeks are now available as shared parental leave.

- I will inform my employer immediately if I am no longer caring for my child.
- The information provided in this declaration is accurate and meets the notification requirements for shared parental leave.

The Following Points Only Apply if You Intend to Take Shared Parental Pay (ShPP):

- I am giving notice that I am entitled to and intend to take shared parental pay.
- I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the 15th week before the expected week of childbirth or, in the case of adoption, the week in which I was notified of having been matched for adoption with the child.
- I am entitled to either SMP or SAP, the pay period will be reduced and the period that remains is available as ShPP.
- I will be absent from work in each week in which I will be paid shared parental pay and I will be on shared parental leave in those weeks.
- I intend to care for my child in the weeks I receive shared parental pay.
- I will remain employed with the Trust until before the date of my first period of shared parental pay.
- I will immediately inform the Trust if I revoke the curtailment of my statutory maternity / adoption pay or maternity allowance.
- The information provided in this declaration is accurate.

EMPLOYEE SIGNATURE:		DATE:	
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Section F: Spouse / Partner's Declaration

Spouse / Partner's Declaration

- I am the father of the child, or, at the date of birth / matching with the child for adoption, I was (or will be) the mother's/adopter's spouse, civil partner or partner.
- Along with the mother/adopter, I had (or will have) the main responsibility for the care of the child at the time of the birth (or adoption).
- I have been (or will have been) employed or self-employed in England, Scotland or Wales in 26 weeks of the 66 weeks before the expected week of birth or matching for adoption.
- I have (or will have) earned in total £390 in 13 weeks of the 66 weeks before the expected week of childbirth or matching for adoption.
- I consent to the amount of shared parental leave which the mother/adopter intends to take, as set out in section C above.
- I consent to Leeds Community Healthcare NHS Trust processing the information I have provided.
- I consent to the amount of shared parental pay which the mother/adopter intends to take, as set out in section C above.
- The information provided in this declaration is accurate.

PARTNER'S SIGNATURE:		DATE:	
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Confirmation

I do not intend to take shared parental leave but consent to my partner's claim for shared parental leave and/or pay	
I have attached a copy of the MATB1 form or Matching Certificate	
I have submitted a maternity leave application via the intranet	

Signed: _____ Date: _____

To be submitted to your line manager, **accompanied by a copy of the MATB1 form or Matching Certificate.**

Manager's Declaration:

I confirm the employee has informed me of their intention to end their maternity / adoption leave	<input type="checkbox"/>
I have discussed shared parental leave with the above and am aware of their intention to take shared parental leave.	<input type="checkbox"/>
We have discussed annual leave entitlement and have agreed contact to keep in touch during shared parental leave.	<input type="checkbox"/>
I have completed the authorised leave form Process (lch.oak.com) on the intranet to inform payroll of the employee's intention to take shared parental leave.	<input type="checkbox"/>
I have informed IT of the length of absence to ensure NHS mail and system log-in is not disabled.	<input type="checkbox"/>

Signed: _____ Date: _____

Once completed, please forward this form to: lch.hr@nhs.net

Appendix 4

APPLICATION FORM FOR SHARED PARENTAL LEAVE AND PAY (Partner)

This form **must be completed** if you are **employed by the Trust**, and **you are the Spouse / Partner** of the mother/adopter who has taken maternity or adoption leave.

Please note if you are intending to take New Parent Support (Paternity) Leave in addition to Shared Parental Leave you will need to complete the application form here: [Process \(lch.oak.com\)](http://lch.oak.com)

Section A: General Information

Payroll Number	
Full Name	
Home Address	
Telephone Number	
Job Title	
Manager's Name	
Manager's Email Address	
LCH / Trust Start Date	
NHS Start Date	
Contract Expiry date (if applicable)	
Your Spouse / Partner's Name (mother of the child who is taking maternity leave or the adopter who is taking adoption leave)	
Your Spouse / Partner's Address	
Your Spouse / Partner's National Insurance Number	
Child's Expected Date of Birth <u>OR</u> Date of Matching	

Section B: Amount Of Shared Parental Leave and Pay Available

Spouse /Partner’s Maternity/ Adoption Leave Start Date	
Spouse /Partner’s Maternity/ Adoption Leave Start Date	
Total Number of Weeks Maternity / Adoption leave Taken by your Spouse / Partner	

Please note your spouse / partner **must** take **2 weeks** maternity leave immediately following the birth of your baby (or 4 weeks if they work in a factory).

Number of Weeks’ Shared Parental Leave Available	Example
52 weeks Minus Total Number of Weeks Maternity / Adoption leave Taken by your Spouse / Partner	52 – 26 = 26 weeks shared parental leave available
Number of weeks’ shared parental pay available	Example
Total number of weeks maternity / adoption pay paid to your partner	26 weeks (mother ends maternity leave after 26 weeks)
39 Weeks Minus Total Number of Weeks Maternity / Adoption Pay Paid to your Partner	39 – 26 = 13 weeks shared parental pay available

Section C: Intention to Take Leave

Shared Parental Leave

Dates I Intend to Take Shared Parental Leave:			
From:		To:	
Total Number of Weeks:			
From:		To:	
Total Number of Weeks:			
From:		To:	
Total Number of Weeks:			
Total Number of Weeks Shared Parental Leave I Intend to Take			

Dates My Spouse / Partner Intends to Take Shared Parental Leave:			
From:		To:	
Total Number of Weeks:			
From:		To:	
Total Number of Weeks:			
From:		To:	
Total Number of Weeks:			
Total Number of Weeks Shared Parental Leave My Spouse / Partner Intends to Take:			

Shared Parental Pay

Please note shared parental pay can only be claimed during the 39 weeks following the commencement of maternity / adoption leave.

Dates I Intend to Take Shared Parental Pay			
From:		To:	
Total Number of Weeks:			
From:		To:	
Total Number of Weeks:			
From:		To:	
Total Number of Weeks:			

Dates My Partner Intends to Take Shared Parental Pay			
From:		To:	
Total Number of Weeks:			
From:		To:	
Total Number of Weeks:			
From:		To:	
Total Number of Weeks:			

Section D: Employee’s Declaration

Employee’s declaration:

- I am giving notice that I am entitled to and intend to take shared parental leave.
- I am the father of the child, or, at the date of birth / matching with the child for adoption, I was (or will be) the mother’s/adopter’s spouse, civil partner or partner.
- I have, or will have been continuously employed for 26 weeks at the end of the 15th week before the week in which the child is due; **OR**
- I have been continuously employed for 26 weeks at the end of the week in which I (the adopter) was notified of having been matched for adoption.
- I will remain employed with the Trust until any period of shared parental leave ends.
- I have the main responsibility for caring for the child (along with my partner).
- I will inform my employer immediately if I am no longer caring for my child.
- The information provided in this declaration is accurate and meets the notification requirements for shared parental leave.

The following points only apply if you intend to take shared parental pay:

- I am giving notice that I am entitled to and intend to take shared parental pay.
- I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the 15th week before the expected week of childbirth or, in the case of adoption, the week in which I was notified of having been matched for adoption with the child.
- I will be absent from work in each week in which I will be paid shared parental pay and I will be on shared parental leave in those weeks.
- I intend to care for my child in the weeks I receive shared parental pay.
- I will be absent from work in each week in which I will be paid shared parental pay and I will be on shared parental leave in those weeks.
- I will remain employed with the Trust until before the date of my first period of shared parental pay.
- The information provided in this declaration is accurate.

EMPLOYEE SIGNATURE:		DATE:	
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Section E: Spouse / Partner’s Declaration (the mother or adopter who has taken maternity / adoption leave)

Spouse / Partner’s Declaration

- I had (or will have) the main responsibility for the care of the child at the time of the birth (along with my partner who has made the declaration above).
- I am entitled to maternity / adoption leave in respect of the child and I have curtailed (or will curtail) my entitlement to maternity / adoption leave and pay (or I have returned to work).
- I have been (or will have been) employed or self-employed in England,

<p>Scotland or Wales in 26 weeks of the 66 weeks before the expected week of birth or matching for adoption.</p> <ul style="list-style-type: none"> • I have (or will have) earned in total £390 in 13 weeks of the 66 weeks before the expected week of childbirth or matching for adoption. • I will immediately inform my partner if I revoke my notice to curtail my maternity leave. • I consent to the amount of shared parental leave which my partner intends to take, as set out in section C above. • I consent to Leeds Community Healthcare NHS Trust processing the information I have provided. • The information provided in this declaration is accurate. 			
PARTNER'S SIGNATURE:		DATE:	

To be submitted to your line manager, **accompanied by a copy of the MATB1 form or Matching Certificate.**

Section F: Manager's Declaration:

I have discussed shared parental leave with the above and am aware of their intention to take shared parental leave.	<input type="checkbox"/>
We have discussed annual leave entitlement and have agreed contact to keep in touch during shared parental leave.	<input type="checkbox"/>
I have completed the authorised leave form Process (lch.oak.com) on the intranet to inform payroll of the employee's intention to take shared parental leave.	<input type="checkbox"/>
I have informed IT of the length of absence to ensure NHS mail and system log-in is not disabled.	<input type="checkbox"/>

Signed: _____ Date: _____

Once completed, please forward this form to: lch.hr@nhs.net

APPENDIX 5

Glossary

MA	Maternity allowance Usually paid if you do not qualify for statutory maternity pay.
SAP	Statutory adoption pay Paid for up to 39 weeks if you are eligible.
ShPP	Shared parental pay May be payable if the mother/adopter does not take their full entitlement to statutory maternity or adoption pay.
SMP	Statutory maternity pay Paid for up to 39 weeks if you are eligible.
SPL	Shared parental leave Provides both parents with the flexibility to choose how to care for their child/ren in their first year following birth or adoption.
SPLIT days	Shared parental leave in touch days Allows employees to work for up to 20 days during their shared parental leave.