

SHARED PARENTAL LEAVE

This Policy is designed to help employees understand their entitlement to Shared Parental leave. The document applies to all Kingston Hospital Foundation Trust employees and meets all existing related legislations covered under section 15 of the NHS Terms and Conditions Handbook.

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1. INTRODUCTION

This Policy is designed to help you to understand your entitlement to shared parental leave and pay. This gives new parents the opportunity to share leave and pay for babies born on or after 5th April 2015. It is designed to give parents more flexibility in sharing the care of their child during the first year following birth or adoption. Adopters; partnerships of the same sex and; intended parents in surrogacy who meet certain criteria will also be eligible for shared parental leave and pay. Additional paternity leave and pay is abolished under this new framework. If you have any questions that this guide does not cover, please contact the AskHR Team.

2. POLICY STATEMENT

The Trust is committed to ensuring that employees who become parents can enjoy the early time with their child in whatever way they chose. The policy is intended to promote an employee's awareness of their rights and entitlements should they wish to opt into shared parental leave. Eligible mothers/adopter will be able to volunteer to end their maternity/adoption leave and/or pay early to create leave and pay which they can share with the child's father or their partner as shared parental leave and pay. This will give families more choice over how they look after their children in the first year.

3. OBJECTIVES

- Set out the statutory provision for shared parental leave.
- Set out the way in which this provision is managed by the Trust.
- Provide a resource of information for employees and managers on help and support for staff who are planning to take shared parental leave.

4. TRUST POLICY EQUALITY STATEMENT

The Trust is committed to promoting equality, valuing diversity and protecting Human Rights and is committed to eliminating discrimination against any individual on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation, as well as to promote positive practice and value the diversity of all individuals and communities.

5. SCOPE

This policy applies to all Trust employees on permanent and fixed term contracts whether they are the mother/adopter or the partner. If it is the mother/adopter who is employed by Kingston Hospital NHS Foundation Trust and their partner wants to take a period of shared parental leave (where relevant) then the partner must submit any notification of their intention to take shared parental leave to their own employer, which may have its own shared parental leave policy in place.

Similarly, if it is the partner who is employed by Kingston Hospital NHS Foundation Trust, the mother/adopter must (where relevant) submit any notifications of their intentions to shared parental leave to their own employer.

The mother/adopter and the partner should ensure that they are each liaising with their own employer to ensure that requests for shared parental leave are handled as smoothly as possible.

6. DEFINITIONS

The following acronyms and definitions are used in this policy:

SPL - Shared Parental Leave

ShPP - Shared Parental Pay

Mother - the woman who gives birth to a child.

Adopter - is a person who has been matched with the child for adoption. In the case of two people who have been matched jointly this shall mean whichever of them elected to take adoption leave for the child.

Partner - the child's biological father or the partner of the mother/adopter. This can be a spouse, civil partner; or a partner who is living in an enduring relationship with the mother and the child.

EWC - expected Week of Commencement, the week, starting on a Sunday, during which the mother's doctor of midwife expects her to give birth

SPLIT - Shared Parental Leave in Touch day

Match - when an adopter is approved to adopt a named child or children

Curtail - where an eligible mother brings their maternity/ adoption leave and, if appropriate, pay or allowance entitlement to an end early.

7. ROLES AND RESPONSIBILITIES

Human Resources

HR is responsible for providing help, advice and support to managers and staff under this Policy.

The AskHR team will support managers with the implementation of this policy where shared parental leave requests are made. The AskHR team will process shared parental leave paperwork and provide staff with their entitlement letter.

Employee

Employees who wish to access Shared Parental Leave are required to be familiar with this policy and have a general understanding of their statutory and contractual entitlements. Employees should inform their manager within the time scales set out in this policy of their wish to take Shared Parental Leave.

Managers

Managers are required to adhere to the procedures set out in this policy and to ensure that the policy is applied fairly and consistently. To ensure that staff are made aware of this policy where applicable and that staff understand their entitlements. Managers are required to deal with requests sensitively and in a timely manner to the AskHR team and Payroll to ensure accurate payment is made.

Payroll

Payroll is responsible for processing Shared Parental Leave pay.

8. WHAT IS SHARED PARENTAL LEAVE?

- 8.1 Shared Parental Leave enables eligible parents to choose how to share the care of their child during the first year following birth or adoption. Its purpose is to give parents more flexibility in considering how to best care for their child. All eligible employees have a statutory right to take SPL. There may also be an entitlement to some Shared Parental Pay.
- 8.2 Mothers, fathers and partners of mothers of children due on or after 5 April 2015, or adoptive parents who are notified of having been matched with a child on or after 5 April 2015 have the right to opt to take SPL.
- 8.3 Opting in to take SPL means that eligible mothers, fathers or partners may elect to share up to 50 weeks' SPL within the first year of the child's life provided that the mother/principal adopter has reduced or agreed to reduce her entitlement to Maternity/Adoption Leave and Pay. The mother/ principal adopter can share their leave with only one other person.
- 8.4 Employees who are eligible can therefore choose to end Maternity or Adoption Leave/Pay and commence Shared Parental Leave/Pay. This policy provides further information on eligibility for Shared Parental Leave and Pay entitlements.

9. ELIGIBILITY TO SHARED PARENTAL LEAVE

- 9.1 The amount of leave available is calculated using the mother/principal adopter's entitlement to Maternity/Adoption Leave (52 weeks), and to qualify for SPL a mother/principal adopter must:
- Have a partner.
 - Be entitled to either maternity/adoption leave or to Occupational/Statutory Maternity/Adoption Pay or Maternity Allowance.
 - Have reduced or given notice to reduce, their maternity/adoption leave, or their pay/allowance (if not eligible for maternity/adoption leave).
- 9.2 The partner must:
Have worked for 26 of the 66 weeks up to the child's due/matching date and earned at least £390 in total in 13 weeks of the 66 weeks (the 'earning and employment' test).
- 9.3 A parent (partner) intending to take SPL must:
- Be an employee.
 - Share the primary responsibility for the child with the other parent at the time of the birth or placement for adoption.
 - Have properly notified their entitlement and intention to take SPL, complying with the SPL process, and provided the necessary declaration and evidence.
 - Have been continuously employed for at least 26 weeks by the end of the 15th week before the expected week of childbirth/or at the point of being notified they have been matched with a child, and still be employed at the start of the leave period (the 'continuity test').

10. ENTITLEMENT TO SHARED PARENTAL LEAVE

- 10.1 The earliest that SPL can commence is 2 weeks after the date on which the child is born, or 2 weeks after the date of placement of the child for adoption, and it must end no later than 12 months after that date. Any SPL not taken by the first birthday or first anniversary after adoption will be lost.
- 10.2 The maximum amount of leave that can be shared is 50 weeks regardless of the number of children born as a result of pregnancy or the number of children placed under the same adoption arrangement.
- 10.3 Requests for a single continuous block of a number of complete weeks will be granted.
- 10.4 An employee taking SPL can split their leave into up to 3 separate blocks instead of taking it all in one go, even if they aren't sharing the leave with their partner. Requests for (up to 3) discontinuous blocks will be considered but may not be granted, as this decision will be made by taking into account the needs of the service.
- 10.5 If both parents are taking SPL then they can take their leave at the same time as each other, or at different times. However, the combined time off can only reach a maximum of 50 weeks leave and 37 weeks ShPP.
- 10.6 You must give at least 8 weeks' notice before a block of leave begins.
- 10.7 SPL can start for the partner while the mother or adopter is still on maternity or adoption leave as long as she has given binding notice to end her leave (or pay is she's not entitled to leave). Where the mother/adopter curtails their leave, this will draw an end to any occupational maternity entitlements which are still in place at the time of the curtailment.

11. REQUESTING FURTHER EVIDENCE OF ELIGIBILITY

Following notification of intention to take SPL a request may be made for:

- The name and business address of the partner's employer (where the employee's partner is no longer employed or is self-employed their contact details must be given instead).
- In the case of biological parents, a copy of the child's birth certificate (or, when one has not been issued, a declaration as to the time and place of the birth).
- In the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption.
- In order to be entitled to SPL, the employee must produce this information within 14 days of any request.

12. DISCUSSIONS REGARDING SHARED PARENTAL LEAVE

- 12.1 An employee considering/taking SPL is encouraged to contact their line manager to arrange an informal discussion as early as possible regarding their potential entitlement, to talk about their plans and to enable the organisation to support the individual.
- 12.2 The line manager may upon receiving a notification of entitlement to take SPL seek to arrange an informal discussion with the employee to talk about their intentions and how they currently expect to use their SPL entitlement.
- 12.3 Upon receiving a leave booking notice, the line manager will usually arrange a meeting to discuss the request. Where a notice is for a single period of continuous leave, or where a request for discontinuous leave can, without further discussion, be approved in the terms stated in the employees notice booking leave, a meeting may not be necessary.
- 12.4 The purpose of the meeting is to discuss in detail the leave proposed and what will happen while the employee is away from work. Where it is a request for discontinuous leave the discussion may also focus on how the leave proposal could be agreed and whether a modified arrangement would be agreeable to the employee and the department.

13. BOOKING SHARED PARENTAL LEAVE

- 13.1 In addition to notifying management and AskHR of their intention to take and entitlement to SPL, an employee must also give notice to take the leave (at least 8 weeks). In many cases, notice to take leave will be given at the same time as the notice of entitlement to SPL (**Appendix 2**). The form should be completed in **Appendix 3** (birth) or **Appendix 4** (adoption).
- 13.2 The employee has the right to submit three notifications specifying leave periods they are intending to take. Each notification may contain either a single period of weeks leave; or two or more weeks of discontinuous leave, where the employee intends to return to work between periods of leave.
- 13.3 Leave can only be taken in complete weeks but may begin on any day of the week.
- 13.4 **Continuous leave notifications**
- A notification can be for a period of continuous leave, which means a notification of a number of weeks taken in a single unbroken period of leave.
 - An employee has the right to take continuous block of leave notified in a single notification, so long as it does not exceed the total number of weeks of SPL available to them (specified in the notice entitlement) and the employer has been given at least 8 weeks' notice.
 - An employee may submit up to three separate notifications for continuous periods of leave.
- 13.5 **Discontinuous leave notifications**
- A single notification may also contain a request for two or more periods of discontinuous leave, which means asking for a set number of weeks of leave over a period of time, with breaks between the leave where the employee returns to work.

- Where there is concern over accommodating the notification, the organisation or the employee may seek to arrange a meeting to discuss the notification with a view to agreeing an arrangement that meets both the needs of the employee and service.
- The line manager will consider a discontinuous leave notification, but has the right to refuse it. If the leave pattern is refused, the employee can either withdraw it within 15 days of giving it, or can take the leave in a single continuous block.

14. VARIATIONS TO ARRANGED SHARED PARENTAL LEAVE

- 14.1 The employee is permitted to vary or cancel an agreed and booked period of SPL, provided that they advise in writing at least 8 weeks before the date of any variation. Any new start date cannot be sooner than 8 weeks from the date of the variation request.
- 14.2 Any variation or cancellation notification made by the employee, including notice to return to work early, will usually count as a new notification reducing the employee's right to book/vary leave by one. However, a change as a result of a child being born early or as a result of the Trust's request to change, and the employee being agreeable to the change, will not count as further notification. Any variation will be confirmed in writing.

15. STATUTORY SHARED PARENTAL PAY (ShPP)

- 15.1 Eligible employees may be entitled to take up to 37 weeks ShPP while taking SPL.
- 15.2 The amount of weeks available will depend on the amount by which the mother/adopter reduces their maternity/adoption pay period or maternity allowance period.
- 15.3 ShPP may be payable during some or all of SPL, depending on the length and timing of the leave.
- 15.4 To qualify for ShPP an employee needs to have met the 'continuity of employment test' and their partner must meet the 'employment and earnings test' just like SPL. In addition, the employee must also have earned above the 'Lower Earnings Limit' in the 8 weeks leading up to and including the 15th week before the child's due date/matching date and still be employed with the same employer at the start of the first period of ShPP.

Continuity of employment test

The individual has worked for the same employer for at least 26 weeks at the end of the 15th week before the child's expected due date/matching date and is still working for the Trust at the start of each leave period.

Employment and earnings test

In the 66 weeks leading up to the baby's expected due date/matching date, the person has worked for at least 26 weeks and earned no less than the lower earnings limit in force for the national insurance contributions

- 15.5 ShPP will be created when the eligible mother or adopter chooses to bring their maternity or adoption pay or maternity allowance to an early end. The untaken maternity or adoption pay or maternity allowance will become available as statutory shared parental pay – up to a maximum of 37 weeks.

- 15.6 Where an employee is entitled to receive ShPP they must, at least 8 weeks before receiving any ShPP, give their line manager written notice advising of their entitlement to ShPP. To avoid duplication, if possible, this should be included as part of the notice of entitlement to take SPL.
- 15.7 In addition to what must be included in the notice of entitlement to take SPL, any notice that advises of an entitlement for ShPP must include:
- The start and end dates of any maternity/adoption pay or maternity allowance.
 - The total amount of ShPP available, the amount of ShPP the employee and their partner each intend to claim, and a non-binding indication of when the employee expects to claim ShPP.
 - A signed declaration from the employee confirming that the information they have given is correct, that they meet, or will meet, the criteria for ShPP and that they will immediately inform the management and AskHR should they cease to be eligible. It must be accompanied by a signed declaration from the employee's partner confirming their agreement to the employee claiming ShPP and the organisation to process any ShPP payments to the employee:
 - In the case where the partner is the mother/adopter – that they have reduced their maternity/adoption pay or maternity allowance.
 - In the case of the partner – that they will immediately inform the mother/adopter should they cease to satisfy the eligibility conditions.
- 15.8 ShPP will be paid at a rate set by the Government for the relevant tax year.
- 16. REVOKING NOTICE TO CURTAIL MATERNITY OF ADOPTION LEAVE OR VARY SPL**
- 16.1 If an employee has given notice to curtail their maternity or adoption leave they may revoke (withdraw) the notice only if they have not returned to work, the curtailment date has not passed and one of the following circumstances apply:
- Where it is discovered in the 8 weeks following the notice that neither the mother/adopter nor their partner had any entitlement to SPL or pay.
 - In the event of the death of the partner.
 - For the mother only – if the notice was given before the birth and the employee revokes her maternity leave curtailment notice in the 6 weeks following the birth.
- 16.2 If the employee revokes their notice in the first two instances, there is no further opportunity to opt into SPL at a later date for the same child.
- 16.3 If an employee revokes their maternity leave curtailment notice within 6 weeks of the birth in the last of the above circumstances; they will be able to opt into SPL at a later date with the same partner. Employees will either return to work and give notice of entitlement to SPL; or give another notice to curtail their maternity leave. Employees may give notice or vary their SPL by using **Appendix 3/4 & 5**.

17. SHARED PARENTAL LEAVE IN TOUCH DAYS (SPLIT)

- 17.1 To support occasional training, or help keep in touch without losing SPL or ShPP, Shared Parental Leave in Touch Days (SPLIT) are available to take during maternity leave. These SPLIT days allow your manager and you to make occasional, reasonable contact during SPL. They can be used to work for the Trust for up to twenty days, by mutual agreement with your manager, without losing ShPP. Any days of work will not extend the SPL period, SPLIT days are intended to facilitate a smooth return to work from SPL.
- 17.2 The employee will be paid at their basic daily rate for the hours worked. Working for part of any day will count as one SPLIT day.
- 17.3 Examples of a SPLIT day could be to attend training or refresher courses, consultation meetings, or to ease your return to work. Important points to note include the following:
- Working for part of any day will count as one SPLIT day.
 - The decision to undertake a SPLIT day must be made by agreement between you and your manager.
 - The SPLIT day will not bring your SPL to an end and any such days of work will not extend the SPL period.
 - The Trust has no right to demand that you undertake any such SPLIT work and you cannot insist that you undertake such work.
 - You will be paid at your basic rate for the hours worked, less appropriate maternity leave payment for SPLIT days worked.
 - If you are breastfeeding you must be risk assessed before working a SPLIT day.
 - Payment for SPLIT days are made in the first salary after your return to work.

18. LEAVE ENTITLEMENTS DURING SHARED PARENTAL LEAVE

- 18.1 You will continue to accrue your normal annual leave entitlement.
- 18.2 All SPL leave counts as 'service' for the purpose of satisfying the service qualification for entitlement to additional leave based on years of service.
- 18.3 Your annual leave entitlement will remain the same as if you continued working. You may take annual leave prior to commencement of your SPL but, as with all annual leave, this is at the discretion of, and must be authorised by, your manager. You cannot take annual leave during your SPL.
- 18.4 Annual leave entitlement accrued during SPL, and any untaken leave accrued prior to SPL and carried over to the following leave year, should normally be taken immediately at the end of your SPL. This must be authorised by your manager.
- 18.5 If a change in the number of hours you work has been agreed on your return from SPL, the majority of annual leave entitlement accrued during SPL should be taken before any such change can be implemented. Any new working pattern would take effect after the accrued leave is taken, and a new annual leave entitlement (if applicable) would be calculated from the effective date of the change.

19. RETURN TO WORK

- 19.1 When an employee returns to work following a period of SPL they are entitled to return to the same job if their combined leave period (comprising of maternity/paternity/adoption and shared parental leave) totalled 26 weeks or less. This is unaffected by unpaid parental leave of up to four weeks being taken as well.
- 19.2 In the case where the number of weeks of maternity/paternity/adoption and SPL exceeds 26 weeks in aggregate, or the total number of unpaid parental week exceeds four weeks, an employer must allow an employee to return to the same job unless it is not reasonably practicable, in which case they must offer a suitable and appropriate job on terms and conditions that are no less favourable.

20. CONTACT DETAILS

AskHR	020 8973 5392
Bank Partners	0333 577 3411
Payroll Helpdesk	020 8973 5338
Payroll/Pensions Officer	020 8973 5339

21. USEFUL LINKS

<http://www.direct.gov.uk/en/Parents/Moneyandworkentitlements/workandfamilies/index.htm>

<https://www.gov.uk/shared-parental-leave-and-pay>

APPENDIX 1

Frequently Asked Questions

- **What happens in the event of an early birth?**

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

- **What happens in the event of a death of child before or during birth, or within the first year?**

Should the child die before the parents have submitted a notice of entitlement to take SPL then they cannot opt into SPL because a qualifying condition is caring for a child. The mother will remain entitled to maternity leave and the mother's partner could still qualify for statutory paternity leave. If the parents have opted into SPL and they have booked leave, they will still be entitled to take the booked leave. No further notice booking leave can be submitted and only on variation notice can be given to reduce a period of leave or to rearrange a discontinuous leave arrangement into a single block of leave. An employee who is absent on SPL may cancel agreed SPL and return to work by giving their employer eight weeks' notice of their return to work.

- **What happens in the event of a partner no longer caring for the child?**

If the circumstances of an employee who has booked SPL change so that they will no longer be responsible for caring for the child (unless it is because the child has died), their entitlement to both SPL and ShPP will immediately cease and they must tell their employer. If the employee has any SPL arranged within eight weeks of their entitlement ceasing, their employer can still require them to take it as SPL if it is not reasonable practicable for the employer to have their employee in work, for example because cover has been arranged. Any weeks of SPL arranged after eight weeks of their entitlement ceasing must be cancelled. If the remaining parent will be continuing to care for the child then they will still be eligible to take their SPL entitlement outstanding, the remaining parent will only be able to transfer it into their own entitlement if they can get the signed agreement of the other parent to a notice confirming a variation of leave entitlement.

- **What happens in the event of a death of a parent during the child's first year?**

If a parent dies and the other parent is taking, or is entitled to SPL then they will continue to be eligible. Any SPL that was due to be taken by the deceased parent may be transferred to the other parent if the other parent is eligible for SPL. Should it be necessary for the other parent to take a further period of SPL or to vary pre-arranged leave then notice may be given as soon as reasonable practicable if eight weeks' notice cannot be given. If they have already given three notices to take leave they must be allowed to submit one further notice to book/amend SPL.

- **What happens in the event of multiple births/adoptions**

An employee is not entitled to extra SPL or ShPP if they are expecting more than one child. The entitlements are, like maternity leave, the same as if the employee was expecting on child. This also applies to multiple adoptions that occur in a single placement.

- **What happens to my pension during Shared Parental Leave?**

If you are paying into the NHS Pension Scheme, your pension contributions will continue at the same rate and will be deducted from your ShPP. However, when your ShPP ends and you go onto unpaid SPL then your employee pension contributions will stop. During unpaid SPL the employer's contribution will continue to be paid and arrears of your employee contributions will accumulate.

When you return to work these arrears will be deducted from your pay; the repayments are calculated on your pay immediately prior to commencing unpaid SPL. They will be collected over the same time scale as they built up, e.g.: if you are on no pay for three months, the accumulated arrears will be deducted over the three months following your return to work. If this creates financial difficulties please contact the Payroll Manager to discuss alternative methods of repayment.

If you have an added year's contract then during any periods of no pay your arrears for the added years will continue to be calculated on your pensionable pay prior to the commencement of your SPL.

By maintaining your pension contributions for the whole of the SPL period your Life Assurance and your pension will be protected at your normal rate of pay. These repayments are compulsory unless you choose to opt out of the pension scheme; if you choose to do so please contact the Payroll/Pensions Officer.

If you require any further information please contact the Payroll/Pensions Officer via the Payroll Helpdesk.

If you are paying into a private pension scheme, it is advisable to check the impact your SPL may have on the policy at the earliest possible opportunity.

- **What if I do not wish to return to work after Shared Parental Leave?**

You are required to provide your normal period of notice in writing if you do not intend to return to work after your SPL.

- **What happens if I change my mind about returning to work?**

If, having indicated that you intend to return to work following SPL, you subsequently decide not to do so, it is essential that you notify your manager and the AskHR team of your resignation in writing as soon as possible, giving your normal notice period, in accordance with your Statement of Terms and Conditions of Employment.

Please note that returning to work on a Bank Register will not be recognised as a return to work for this purpose.

- **What if I want to change my hours on return from Shared Parental Leave?**

You have the right to return to work on your current hours (see Section 6.1).

However, you have the right to request flexible working patterns. You should apply for flexible working arrangements in writing, in accordance with the Trust's Work-Life Balance Policy, which is available on the Intranet. Flexible working is at the discretion of your manager and will be dependent on the needs of the service, but you will be required to work a minimum of one shift/day per week.

- **What if I am on a fixed-term or training contract?**

If you are on a fixed-term or training contract and meet the eligibility criteria you will have your contract extended to allow you to receive the 50 weeks SPL and ShPP providing you submit the required notifications prior to the end of the fixed term contract and continue to meet the continuity of employment test and employment and earnings test.

- **What is Parental Leave?**

Parental leave offers you the right to take unpaid time off work to spend more time with your child. You can request to take parental leave if you have been employed at Kingston Hospital NHS Trust for a minimum of one year, and share parental responsibility for the child. You can take a maximum of 18 weeks in total up to your child's 18th birthday with a maximum period of four weeks in any year. The leave must be taken in blocks of one week, except at the discretion of your manager or where the child is entitled to Disability Living Allowance, in which case it can be taken in days. You must put a request for Parental Leave in writing to your manager with a least twenty-one days' notice. The Trust is entitled to postpone leave for up to six months (unless this would pass the date of the child's 18th birthday) if it considers that the taking of this leave would be unduly disruptive to the operation of business. Please refer to the Work Life Balance Policy for details.

- **What happens to my annual increment during Shared Parental Leave?**

Shared Parental Leave counts as service for the purpose of annual increments, therefore your incremental date will remain unchanged.

APPENDIX 2

NOTIFICATION OF SHARED PARENTAL LEAVE

NOTIFICATION	
Employee Name	
Employee Number	
Date of Notification (should be 8 weeks prior to intended leave)	
Name of Other Parent	
Maternity/Adoption/Maternity Allowance Start Date	
Expected Date of Childbirth/Adoption	
Amount of Shared Parental Leave available	
Amount of Shared Parental Leave intended to take	
Expected Shared Parental Leave Date (Please indicate if intending a single continuous block, or discontinuous leave)	

EMPLOYEE DECLARATION	
<p>I confirm that:</p> <ul style="list-style-type: none"> • We meet, or will meet, the eligibility conditions and I am entitled to take Shared Parental leave • The information provided is accurate • If I (or my partner) cease to be eligible, I will immediately inform my line manager 	
SIGNED:	
PRINT NAME:	
DATE:	

PARTNER DECLARATION	
Partner Name	
Partner Address	
Partner National Insurance Number	
<p>I confirm</p> <ul style="list-style-type: none"> • I am the mother/adopter of the child, or, the father of the child or are the spouse, civil partner or partner of the mother/adopter: (please delete as appropriate) • I satisfy the 'employment and earnings test', and had at the date of the child's birth or placement for adoption the main responsibility for the child, along with the above aforementioned employee • I consent to the amount of Shared Parental Leave that the employee intends to take • I consent to Kingston Hospital NHS Foundation Trust processing the information contained in this declaration form • I will immediately inform my partner should I cease to satisfy the eligibility conditions (in the case if the partner is mother/adopter) 	
SIGNED:	
PRINT NAME:	
DATE:	
RELATIONSHIP TO THE EMPLOYEE:	

APPENDIX 3

SHARED PARENTAL LEAVE BOOKING NOTICE (BIRTH)

Use this form to opt into the Shared Parental Leave scheme following the birth of a child. A separate form is available for adoptive parents.

(NB: If you are the child’s mother you must also submit a signed curtailment notice to bring your maternity leave to an end.)

BASIC INFORMATION	
<p>Guidance notes: Shared Parental Leave 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. Both parties must expect to share the main responsibility for the child’s upbringing.</p> <p>“Partner” means the mothers spouse, civil partner, or other person living with her in an ‘enduring’ family relationship, but who is not her sibling, parent, child, grandparent, grandchild, aunt, uncle, niece or nephew.</p>	
Employee Name	
Employee Number	
I am the child’s mother*/ child’s father*/ mothers partner* <i>(delete as appropriate)</i>	
Expected Week of Childbirth	
Actual Date of Birth (if known)	

CONFIRMATION OF MATERNITY LEAVE, STATUTORY MATERNITY PAY OR MATERNITY ALLOWANCE	
<p>Guidance notes: If you are the mother, please give your maternity leave dates below. If you are still on maternity leave you must also submit a maternity leave curtailment notice to bring your maternity leave to an end.</p> <p>If you are the child’s father or the mother’s partner, please give the mothers’ maternity leave dates. If she is not entitled to statutory maternity leave (for example she is an agency worker, self-employed or unemployed), give the dates she started and ended (or will end) her statutory maternity pay (SMP) or maternity allowance (MA) period as applicable. She must give her employer notice to curtail her maternity leave period as appropriate.</p>	
Maternity Leave / Statutory Maternity Pay / Maternity Allowance start date	

Maternity Leave / Statutory Maternity Pay / Maternity Allowance end date	
Total Maternity Leave / Statutory Maternity Pay / Maternity Allowance outstanding (weeks)	

SHARED PARENTAL LEAVE

Guidance notes: The total Shared Parental Leave (SPL) available is 50 weeks minus the mother maternity leave, statutory maternity pay, or maternity period.

The first period of Shared Parental Leave cannot start until at least two weeks after the child is born and at least eight weeks after you submit this booking notice.

Total SPL available (whole weeks)	
Number of whole weeks' SPL intended to be taken by you	
Number of whole weeks' SPL intended to be taken by the person you will share your SPL with	
Indication of the dates you would like to take SPL	

STATUTORY SHARED PARENTAL PAY

Guidance notes: The total statutory shared parental pay (ShPP) available is 39 weeks minus the mother's SMP or MA period.

Total ShPP available (whole weeks)	
Number of whole weeks' ShPP intended to be taken by the child's mother	
Number of whole weeks' ShPP intended to be taken by the child's father/mothers partner	
Indication of the dates you would like to take ShPP	

EMPLOYEE'S DECLARATION

Guidance notes:

“Child” means the child referred to in the basic information

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

- I am the child’s mother and I am entitled to Statutory Maternity Leave. I have submitted a curtailment of maternity leave notice (or will submit it before the person I am sharing SPL with take SPL at least 8 weeks before the first date on which I intend to take SPL). *

Or

- I am the child’s father of the child’s mother’s spouse, civil partner. *
*(*please delete as applicable)*
- I had at least 26 weeks continuous employment at the end of the 15th week before the expected week of childbirth (EWC) and have remained continuously employed since then.
- My normal weekly earnings in the eight week period ending with in the 15th week before the EWC were not less than the lower earnings limit *(delete if not applicable)*
- I expect to share the main responsibility for the care of the child with the person who has completed the following declaration (declaration by person taking shared parental leave with the employee)
- I intend to care for the child during each week that I am on SPL and receiving ShPP.
- I will immediately inform my manager if I cease to care for the child, or to otherwise satisfy the conditions for entitlement to SPL or ShPP.
- The information I have given in this notice is accurate.

SIGNED:

PRINT NAME:

DATE:

PARTNER'S DECLARATION

Guidance notes:

The “employee” and the “child” are the employee and child referred to in the basic information

If the employee is not the child’s mother, you must be the mothers spouse, civil partner or partner.

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

NAME:	
ADDRESS:	
NATIONAL INSURANCE NUMBER:	
YOUR EMPLOYERS NAME AND ADDRESS (IF EMPLOYED) OR YOUR BUSINESS ADDRESS IF SELF-EMPLOYED:	
<ul style="list-style-type: none"> • I am the child's mother and I am (or was) entitled to maternity leave, statutory maternity pay or maternity allowance. I have submitted a curtailment of maternity leave, statutory maternity pay or maternity allowance, or will have done by the time your employee starts parental leave. * <p>Or</p> <ul style="list-style-type: none"> • I am the child's father. * <p>Or</p> <ul style="list-style-type: none"> • I am child's mother's spouse, civil partner. * <i>(*please delete as applicable)</i> <ul style="list-style-type: none"> • I expect to share the main responsibility for the care of the child with your employee. I have worked in an employed or self-employed capacity in at least 26 of the 66 weeks immediately before the EWC. • My average weekly earnings are at least £30, taking the 13 highest earning weeks immediately before the EWC. • 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 SPL and ShPP. 	
SIGNED:	
PRINT NAME:	
DATE:	

APPENDIX 4

SHARED PARENTAL LEAVE BOOKING NOTICE (ADOPTION)

Use this form to opt into the Shared Parental Leave scheme for primary adopters, who have received notice a child will be placed with them on or after 5th April 2015. A separate form is available for birth parents.

(NB: If you are the child’s mother you must also submit a signed curtailment notice to bring your adoption leave to an end.)

BASIC INFORMATION	
<p>Guidance notes: Shared Parental Leave may be shared between the adopter and either the spouse, civil partner or partner of the child’s adopter. Both parties must expect to share the main responsibility for the child’s upbringing.</p> <p>“Partner” means the adopter spouse, civil partner, or other person living with her in an ‘enduring’ family relationship, but who is not her sibling, parent, child, grandparent, grandchild, aunt, uncle, niece or nephew.</p>	
Employee Name	
Employee Number	
I am the person with whom a child is, or is expected to be, placed for adoption	
Anticipate matching date	
Actual date of birth (if known)	

CONFIRMATION OF ADOPTION LEAVE, ADOPTION PAY	
<p>Guidance notes: If you are the primary adopter, please give your adoption leave dates below. If you are still on adoption leave you must also submit an adoption leave curtailment notice to bring your adoption leave to an end.</p> <p>If you are not the primary adopter or the mother’s partner, please give the primary adopters adoption leave dates. If she is not entitled to adoption leave (for example she is an agency worker, self-employed or unemployed), give the dates they started and ended (or will end) her statutory adoption pay (SAP) or adoption leave (AL) period as applicable. They must give their employer notice to curtail their adoption leave period as appropriate.</p>	
Adoption Leave / Statutory Adoption Pay start date	
Adoption Leave / Statutory Adoption Pay end date	
Total Adoption Leave / Statutory Adoption Pay outstanding (weeks)	

SHARE PARENTAL LEAVE

Guidance notes: The total Shared Parental Leave (SPL) available is 52 weeks minus the primary adopters adoption leave, statutory adoption pay, or total adoption leave/pay.

The first period of Shared Parental Leave cannot start until at least eight weeks after you submit this booking notice.

Total SPL available (whole weeks)	
Number of whole weeks' SPL intended to be taken by you	
Number of whole weeks' SPL intended to be taken by the person you will share your SPL with	
Indication of the dates you would like to take SPL	

STATUTORY SHARED PARENTAL PAY

Guidance notes: The total statutory shared parental pay (ShPP) available is 39 weeks minus the primary adopter's statutory adoption pay period.

Total ShPP available (whole weeks)	
Number of whole weeks' ShPP intended to be taken by the primary adopter	
Number of whole weeks' ShPP intended to be taken by the primary adopter's partner	
Indication of the dates you would like to take ShPP	

EMPLOYEE'S DECLARATION

Guidance notes:

“Child” means the child referred to in the basic information

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

- I am the primary adopter and I am entitled to Statutory Adoption Leave. I have submitted a curtailment of adoption leave notice (or will submit it before the person I am sharing SPL with take SPL at least 8 weeks before the first date on which I intend to take SPL). *

Or

- I am the primary adopter’s spouse, civil partner. *
*(*please delete as applicable)*
- I had at least 26 weeks continuous employment at the end of the 15th week before the expected week of placement and have remained continuously employed since then.
- My normal weekly earnings in the eight week period ending with in the 15th week before the EWC were not less than the lower earnings limit *(delete if not applicable)*
- I expect to share the main responsibility for the care of the child with the person who has completed the following declaration (declaration by person taking shared parental leave with the employee)
- I intend to care for the child during each week that I am on SPL and receiving ShPP.
- I will immediately inform my manager if I cease to care for the child, or to otherwise satisfy the conditions for entitlement to SPL or ShPP.
- The information I have given in this notice is accurate.

SIGNED:

PRINT NAME:

DATE:

PARTNER'S DECLARATION**Guidance notes:**

The "employee" and the "child" are the employee and child referred to in the basic information

If the employee is not the child's primary adopter, you must be the primary adopter's spouse, civil partner or partner.

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

NAME:

ADDRESS:

NATIONAL INSURANCE NUMBER:

YOUR EMPLOYERS NAME AND ADDRESS (IF EMPLOYED) OR YOUR BUSINESS ADDRESS IF SELF-EMPLOYED:

- I am the primary adopter and I am (or was) entitled to adoption leave, statutory adoption pay. I have submitted a curtailment of adoption leave or statutory adoption pay or will have done by the time your employee starts parental leave. *

Or

- I am the primary adopter's spouse, civil partner. *
*(*please delete as applicable)*
- I expect to share the main responsibility for the care of the child with your employee. I have worked in an employed or self-employed capacity in at least 26 of the 66 weeks immediately before the EWC.
- My average weekly earnings are at least £30, taking the 13 highest earning weeks immediately before the EWC.
- 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 SPL and ShPP.

SIGNED:

PRINT NAME:

DATE:

APPENDIX 5

MATERNITY/ADOPTION LEAVE CURTAILMENT NOTICE

This notice is to inform Kingston Hospital NHS Foundation Trust that you wish your maternity/adoption leave and pay (or just your maternity/adoption pay if you are no longer in employment); to end in order that the person who shares main responsibility to care for the child can take shared parental leave. Your partner/the other parent is not entitled to take shared parental leave until you have submitted this notice of curtailment.

You must give at least eight weeks' notice of your curtailment date.

If you are entitled to maternity leave the curtailment date must be at least two weeks after the birth of your child.

If you are in receipt of maternity allowance you must also submit a curtailment notice to the relevant government agency.

I wish my maternity/adoption leave/pay to end on _____
 (insert date)

SIGNED:	
PRINT NAME:	
DATE:	

EQUALITY IMPACT ASSESSMENT (EqIA)

Initial Screening Tool

This is designed to help you to assess the impact of your procedural document, proposal or service on all equalities target groups, and support you to gather data or identify the need to gather data/information at this stage of the process

Questions	Answers
Who is the procedural document aimed at?	All employees of KHFT
What are the main aims and objectives?	To ensure that the Trust <ul style="list-style-type: none"> • Complies with the statutory provision for shared parental leave • Sets out how any request in relation to the policy is managed.
Identify the data/information you have regarding the use of the service/process by diverse groups. Use qualitative/quantitative and anecdotal information	<ul style="list-style-type: none"> • ESR Workforce Information – number of requests recorded • TRAC Recruitment reports on Equality and Diversity • Staff Survey Results

Equality/Diverse Group Does it affect any one group less favourably than another?	Who?
Age	No <ul style="list-style-type: none"> • Patients, their carer or families • Employees
Disability	No
Gender Reassignment	No
Marriage and civil partnership	No
Pregnancy and maternity	No
Race	No
Religion or Belief	No
Sex and Sexual Orientation	No

Please state your findings. Who will be affected positively or negatively in relation to this procedural document and how?

Additional Comments

The very nature of this policy sets out the principles to follow to ensure that we remove disadvantages suffered by staff and all users of Kingston Hospital's services due to their protected group characteristics (i.e. age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation)

Is the impact in your opinion:-

Low

Medium

High

Neutral

Please indicate whether a full screening is necessary?

Yes

No

Equality Impact Assessment screening involvement - Signatures

Managers Signature:.....

Date:

Division/Directorate.....

All individuals who took part in the EqIA are required to sign this document.

Additional Signatures

Signature:.... ..

Print:

Role:...**Human Resources Business Partner**

Division/Directorate... **Workforce Directorate...**

Date:

MONITORING SHEET

Element to be monitored i.e. measurable policy objective	Position responsible for monitoring	Method	Frequency	Reporting arrangements – Committee/Group that monitoring is reported to, including responsibility for action plans
The Policy will be reviewed on an as and when basis in line with legislative change, good practice guidance, case law and / or any other relevant changes. The next official review date is Jan 2021	HR Department	Audit	Every 3 years unless there is legislative change	Monitoring arrangements for compliance and effectiveness will be reported to the EMC
The number of appeals received from requests not being granted	AskHR team	Audit	Annual	Will be reported to EMC

VERSION CONTROL SHEET

Version	Date	Author	Status
V1	12.10.2017	G Judge, HR Adviser	Approved