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part of the



LDBS Academies Trust
LAT and LAT 2

Shared Parental Leave Policy

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On behalf of the Trust Board of Directors			
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Publication to	☒ GovHub	☒ Staff info site	☐ Website

NOTE TO THE LOCAL ACADEMY COMMITTEES – MAY BE DELETED UPON LAC ADOPTION

This is the Trust-wide Shared Parental Leave policy template. A space is foreseen above for the school to add its own logo and name. A box below is foreseen for the school to add its school-specific Values. Please do not change the formatting as this document contains style-based cross-references. This document sets minimum compliance requirements for all LDBS Academies Trust (LAT and LAT 2) schools. Each Local Academy Committee (LAC) is requested to: (i) Approve this template. (ii) Ensure this policy is shared with staff and stored in a shared staff drive or intranet; (iii) Ensure local implementation complies with this template.

Version control – New policy, in line with LDBS template policy, also integrated with Family and Parental Leave policy (references from that policy to the details in this policy for provisions that specifically apply to shared parental leave.

PLEASE UPDATE THE TABLE OF CONTENTS AFTER REMOVAL OF THIS SECTION (Go stand on the table of contents and you will see an “update this table” button on the top right)!

TRUST VISION STATEMENT

“The kingdom of heaven is like a mustard seed, which a man took and planted in his field. Though it is the smallest of all seeds, yet when it grows, it is the largest of garden plants and becomes a tree, so that the birds come and perch in its branches.” (Matthew 13: 31-32)

In the parable of The Mustard Seed, Jesus reminds us that even the smallest of seeds has the potential to grow into the fullness of itself. We aim to provide the right environment for our children, and all whom we serve, to flourish into the fullness of themselves. He tells us these seeds grow into trees, capable of providing a home for a rich diversity of life, our work is to ensure all in our communities grow into people of compassion and wisdom with a deep spiritual understanding of how to support the needs of others.

SCHOOL VALUES

Click or tap here to enter text.

Table of Contents

Shared Parental Leave Policy.....	1
1 Introduction	3
2 Scope	3
3 Equal Opportunities and the Legal Framework.....	4
4 Eligibility	4
5 Continuity of employment test	4
6 Employment and Earnings Test	5
7 How much shared parental leave a parent can get?.....	5

8	If the birth parent or primary adopter is not entitled to maternity or adoption leave	5
9	Ways to use shared parental leave	5
10	Shared Parental Pay.....	6
11	Checking eligibility for Shared Parental Pay	6
12	Ending maternity or adoption entitlement	6
13	Giving notice of entitlement to shared parental leave	7
14	Taking the Shared Parental Leave	7
14.1	Continuous leave.....	7
14.2	Discontinuous leave	8
14.3	Booking leave before the baby is born	8
15	Holiday entitlement.....	9
16	Changing the shared parental leave.....	9
17	If the baby is born early or prematurely	9
18	If the child dies	9
19	Shared parental leave in touch (SPLiT) days.....	10
20	Right to return to same job after taking Shared Parental Leave.....	10
21	Further information.....	10
22	Confidentiality and Data Protection	11

Annexes

ANNEX I – SHARED PARENTAL LEAVE FORMS (MATERNITY).....	12
ANNEX II - NOTICES TO BOOK SHARED PARENTAL LEAVE	22

1 Introduction

This guidance sets out the framework for shared parental leave (SPL) and shared parental pay (SPP) and gives more flexibility in how two parents can plan leave and working arrangements to suit their particular circumstances. Shared parental leave enables eligible parents to choose how to share the care of their child during the first year of birth or adoption. This policy should be read alongside the Trust’s Maternity, Paternity, Adoption and Family/Parental Leave policies.

2 Scope

This policy applies to all employees. It does not apply to agency staff or contractors.

All eligible employees have a statutory right to take SPL. There may also be an entitlement to some SPP. Employees should discuss their intentions at an early stage with their line manager so that leave plans and cover arrangements can be discussed and agreed in principle before a formal application is made.

3 Equal Opportunities and the Legal Framework

This policy will be applied fairly and in accordance with the Equality Act 2010.

At all times the policy will meet, at a minimum, statutory and employment law requirements and ACAS guidance.

4 Eligibility

Eligible parents who are sharing responsibility for a child can get shared parental leave in the first year after:

- The birth of their child
- Adopting a child
- Getting a parental order if they had the child through surrogacy

To check if both parents are eligible, please check via the following link: <https://www.check-shared-parental-leave.service.gov.uk/nature-of-parenthood>

The parent who is to take shared parental leave must:

- be sharing responsibility with the other parent from the day of the child's birth or adoption placement
- pass the 'continuity of employment test' and their partner must pass the 'employment and earnings test'
- give their employer notice of shared parental leave entitlement.

For either parent to get shared parental leave, the birth parent or primary adopter must do one of the following:

- end their maternity or adoption leave and return to work
- give their employer notice to 'curtail' (end) their maternity or adoption leave early

By law, the birth parent must still take at least 2 weeks' maternity leave.

5 Continuity of employment test

The parent who is to take shared parental leave must:

- have worked for the same employer for at least 26 weeks by the end of the 15th week before their baby is due or their adoption match date
- still be working for the same employer a week before the start of each block of leave they take
- be legally classed as an employee

6 Employment and Earnings Test

The other parent must have:

- worked for at least 26 of 66 weeks before the expected birth date or adoption match date
- earned an average of at least £30 a week in any 13 weeks of those 66 weeks (that is £390 in total)

They must also be legally classed in England, Scotland and Wales as one of the following:

- an employee
- a worker
- a 'self-employed earner'

A self-employed earner will not be eligible for shared parental leave or pay. But if they satisfy the employment and earnings test, this could allow their partner to take shared parental leave and pay. This is as long as their partner is not also a self-employed earner. Self-employed earners should contact HMRC for advice as to their eligibility.

7 How much shared parental leave a parent can get?

The birth parent or primary adopter can take up to 52 weeks of statutory maternity or adoption leave. They must take a minimum of 2 weeks' leave after the birth or adoption. After this they can end their leave so that the remaining can be shared between the 2 parents. This leaves up to 50 weeks to be shared which depends on how much:

- Maternity leave the birth parent has taken
- Adoption leave the primary adopter has taken

8 If the birth parent or primary adopter is not entitled to maternity or adoption leave

They will not be eligible to take shared parental leave themselves. However, if they are getting maternity pay, adoption pay or Maternity Allowance, they can curtail this to create an opportunity for shared parental leave or shared parental pay for the other parent.

9 Ways to use shared parental leave

- The birth parent or primary adopter returns to work early from maternity or adoption leave and takes shared parental leave at a later date
- The birth parent or primary adopter return to work and their partner takes shared parental leave
- Both parents are off at the same time
- Both parents share shared parental leave evenly and are off at different times
- Both parents return to work at the same time and take shared parental leave at a later date

10 Shared Parental Pay

Employees and workers can claim shared parental pay for any remaining weeks after the birth parent or primary adopter stops their:

- maternity pay
- adoption pay
- Maternity Allowance

The birth parent or primary adopter can take up to 39 weeks of statutory maternity or adoption pay. They must take a minimum of 2 weeks' pay after the birth or adoption. After this they can end their pay so the remaining can be shared between the 2 parents. This leaves eligible parents up to 37 weeks of pay to be shared.

Statutory shared parental pay is the prevailing statutory rate published by the government (<https://www.gov.uk/shared-parental-leave-and-pay/what-youll-get>). The rate is usually reviewed every year. It is important that employees recognise that once they have stopped their maternity pay, and swapped from maternity leave to shared parental leave, they will then be paid statutory shared parental pay as above. They are unable to revert to maternity leave and maternity pay.

If the mother or birth parent is getting Maternity Allowance (MA), they need to notify Jobcentre Plus to curtail this entitlement.

11 Checking eligibility for Shared Parental Pay

To get statutory shared parental pay, the parent must:

- pass the continuity of employment test
- earn at least £123 a week, for 8 weeks before the 15th week of the expected birth or adoption match date

The other parent must meet the employment and earnings test

Workers, for example agency or zero-hours workers, can be eligible for shared parental pay if they meet the above criteria. They are not usually entitled to shared parental leave, but can take time off to care for the child.

12 Ending maternity or adoption entitlement

The birth parent or primary adopter must give their employer notice to end their maternity or adoption leave ('notice of curtailment') to create an entitlement to shared parental leave.

This could be for a date in the future, which will allow the other parent to take shared parental leave while the birth parent or primary adopter is on maternity or adoption leave.

If the parents change their mind, the birth parent or primary adopter cannot restart maternity or adoption leave once they have returned to work. If they have given a notice of curtailment, they cannot 'revoke' (cancel) it, unless:

- the notice was given before birth, it can be revoked up to 6 weeks after the birth or adoption placement start date
- the other parent dies
- it turns out neither parent was entitled to shared parental leave or shared parental pay

13 Giving notice of entitlement to shared parental leave

To create an entitlement to shared parental leave, the parent must give their employer a 'notice of entitlement'.

- The notice of entitlement form includes information such as:
- how much maternity or adoption entitlement has been used
- how much leave and pay is left over from the maternity or adoption entitlement
- how much leave each parent wants to take
- when they want to take the leave
- the signature of both parents

The parent must also provide a declaration from the other parent that confirms at the time of the birth or adoption placement they:

- share responsibility for the care of the child
- meet the employment and earnings test
- agree to the amount of shared parental leave and shared parental pay given to the employee

When the employer receives notice of entitlement for shared parental leave, they should:

- tell the employee they have received the notice
- take the notice of entitlement as suitable proof

14 Taking the Shared Parental Leave

When arranging shared parental leave, the employee must:

- give their employer 8 weeks' notice each time they want to take leave
- take their shared parental leave in blocks of weeks, but it can start on any day, for example if the first day of a week's leave is Tuesday, the last day of leave would be the next Monday
- include the start and end dates of any blocks of leave in the notice

By law, each eligible employee has up to 3 notices they can give their employer to:

- take continuous leave – a full block of time off work
- take discontinuous leave – where blocks of time off work are mixed with time back at work
- change the dates of any booked leave

14.1 Continuous leave

Employees can use up to 3 notices to take continuous leave, depending on how they want to use it.

They do not have to give separate notices, but it can help avoid confusing continuous and discontinuous leave.

Employers cannot refuse notice to take continuous leave.

14.2 Discontinuous leave

Discontinuous leave can be useful for employees who do not want to take too much time off work in one go.

Employers can refuse notice to take discontinuous leave, for example if it's not suitable for the workplace. They could suggest a different arrangement that's more suitable.

Before deciding on this type of leave, the employee and employer should talk about it first and make sure it will work for both.

If an employer and employee do not agree on discontinuous leave dates

The employer and employee should come to an agreement within 14 calendar days of the employee's notice to take leave.

If they do not reach an agreement, the employee can either:

- withdraw their notice
- take continuous leave instead

If an employee withdraws their notice on or before the 15th calendar day after they originally gave it, it does not count as 1 of their 3 notices to take or vary leave.

If an employee withdraws their notice 15 calendar days after they originally gave it, it counts as a notice to vary leave. This means they'll have used 1 notice to take leave and 1 to vary it, so they have 1 notice left to take leave.

If an employee chooses not to withdraw their notice, it will become a block of continuous leave. The leave can start on either:

- the original leave date they gave (this is what it will default to)
- a new date they give their employer within 19 days of the original leave date – the new date must be at least 8 weeks after the original leave date

The employee should put the option they choose in writing to their employer.

14.3 Booking leave before the baby is born

As it is not possible to know the exact date a baby will be born, a parent might want to book shared parental leave based on a number of weeks after the baby is born.

For example, they could tell their employer they want to take 4 weeks of shared parental leave after their maternity leave ends. That way, their employer will be aware the dates could move depending on when the baby is born.

15 Holiday entitlement

Holiday entitlement builds up as normal during shared parental leave.

Some employees might want to take their holiday between blocks of shared parental leave, so they can take more paid time off.

The employee should try to take their holiday entitlement within the workplace's holiday year wherever possible. If it is not possible, the employer might allow some holiday to be carried over.

16 Changing the shared parental leave

It is important to remember that each eligible parent has up to 3 times to either:

- change the dates of booked shared parental leave ('notice to vary leave')
- book a block of shared parental leave ('notice to take leave')

Each time the employee cancels or changes booked shared parental leave, it counts as a notice to vary leave, unless the employer agrees otherwise.

To change ('vary') or cancel the dates of any shared parental leave booked, the employee must give their employer:

- 8 weeks' notice
- a 'notice to vary leave'

The employer can ask the employee to change dates of booked shared parental leave. If the employee agrees, this would not count as a notice to vary leave. The employee does not have to agree and must not be treated unfairly if they do not.

17 If the baby is born early or prematurely

If the baby is born more than 8 weeks early, the parent does not need to give the usual 8 weeks' notice to book or change leave dates.

The parent should give the necessary notices to their employer as soon as they can.

If they are changing shared parental leave dates already booked, it will not count as one of the employee's 3 notices to vary shared parental leave.

18 If the child dies

If the child dies, the parents can still take the shared parental leave they have booked.

They can also either:

- decide to take less shared parental leave
- change discontinuous leave into one block of continuous leave

The employer might ask for 8 weeks' notice before the employee returns to work.

The employee cannot book any new blocks of shared parental leave.

Parents cannot apply for shared parental leave after the death of a child. The birth parent can still get maternity leave or adoption leave. The partner could still be eligible for statutory paternity leave.

19 Shared parental leave in touch (SPLiT) days

The employee and employer can agree on up to 20 shared parental leave in touch (SPLiT) days.

These work in a similar way to keeping in touch (KIT) days with maternity leave.

SPLiT days can be useful for the employee to:

keep up to date with work

- go to a work-related activity or training session
- work part of a week to help the team
- return from leave in a gradual way, for example taking 2 SPLiT days and working 3 days a week to start with

It is up to the employer and employee to agree:

- whether to use SPLiT days
- how many of the 20 to use
- how much the employee will get paid for them

20 Right to return to same job after taking Shared Parental Leave

The right to return to the same job will be maintained for returning from any period of relevant statutory leave that includes maternity, or paternity, adoption or shared parental leave that totals 26 weeks or less in aggregate, even if the leave is taken in discontinuous blocks. This will mean that an employee who takes 26 weeks or less of any combination of relevant statutory leave will have the right to return to the same job. Periods of unpaid parental leave of more than four weeks are excluded from the '26-week calculation'.

Once the employee has taken more than 26 weeks of relevant statutory leave in aggregate (including any combination of maternity, paternity, adoption or shared parental leave) then the employee will have the right to return to the same job that they were doing immediately preceding the last period of absence, or, if it is not reasonably practicable for the employer to permit the employee to return to that job, to another similar job which is both suitable for the employee and appropriate for the employee to do in the circumstances.

21 Further information

See advice on SPL and ShPP at www.acas.org.uk/spl

Parents can use the calculator at www.gov.uk/pay-leave-for-parents

If you require any further guidance, please contact the Trust central team by email to info@latmat.org.uk.

The Trust has a contract with Grow Education Partners for the provision of its HR Services. They can be reached by email on hrrservices@london.anglican.org.

22 Confidentiality and Data Protection

The policy will be implemented in adherence to GDPR regulations in relation to the distribution, sharing and storage of information pertaining to any individuals involved in this procedure. Notes and records of matters dealt with under this policy should be handled on a confidential basis and stored securely.

ANNEX I – SHARED PARENTAL LEAVE FORMS (MATERNITY)

Template forms for the mother or birth parent and their partner to confirm Shared Parental Leave (SPL) and Shared Parental Pay (ShPP) entitlement with their employers. Parents and employers should keep a copy of any completed forms.

Abbreviations used in these forms:

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

The following forms need to be completed if...

	both parents want to take SPL	just the mother or birth parent wants to take SPL	just the partner wants to take SPL
Form 1	Yes	Yes	Yes
Form 2	Yes	Yes	No
Form 3	No	No	Yes
Form 4	Yes	No	Yes

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

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

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

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

I (the mother or birth parent) currently expect to take SPL as follows:

[Note: It can help to answer this as 'from...to...']

SECTION E:

Amount of ShPP available (only if claiming ShPP)

Total number of weeks of ShPP created (39 weeks less total number of SMP taken and any ShPP paid from a previous notice and revocation)	
Total number of weeks of ShPP I (the mother or birth parent) intend to take	
Total number of weeks of ShPP my partner intends to take	

I (the mother or birth parent) currently expect to take ShPP as follows:

[Note: It can help to answer this as 'from...to...']

SECTION F:

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

The following points apply in all circumstances where a mother or birth parent is entitled to maternity leave:

- I am giving notice that I am entitled to and intend to take SPL
- I have, or will have, been continuously employed for 26 weeks at the end of the 15th week before the week in which the child is due
- I will remain employed with this employer until any period of SPL that I intend to take
- I had (or will have) the main responsibility for the care of the child at the time of the child's birth (along with my partner who has made the declaration below)
- I am entitled to maternity leave, my maternity leave period is reduced and the remaining weeks are now available as SPL
- I will inform my employer immediately if I am no longer caring for my child
- I will give my employer a copy of my child's birth certificate or a declaration of the date and place of the birth where no certificate is available if my employer asks for this within 14 days of the date of this notice
- I will give my employer the name and address of my partner's employer or a declaration that they do not have an employer if my employer asks for this within 14 days of the date of this notice
- The information provided in this declaration is accurate and meets the notification requirements for SPL

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

- I am giving notice that I am entitled to and intend to take ShPP
- I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the 15th week before the expected week of childbirth
- I am entitled to SMP in respect of the birth of our child, my maternity pay period is reduced and the period that remains is available as ShPP
- I will be absent from work in each week in which I will be paid ShPP and I will be on SPL in those weeks (if entitled to SPL)
- I intend to care for my child in the weeks I receive ShPP
- I will remain employed with this employer until before the date of my first period of ShPP
- I will immediately inform the person who will be paying ShPP if I revoke the curtailment of my SMP or MA

The information provided in this declaration is accurate	
Signature of mother or birth parent	
Date signed	
SECTION G: Partner's declaration (must be completed)	
- I am the father of the child, or at the date of the birth I was (or will be) the mother or birth parent's spouse, the mother or birth parent's civil partner and/or the mother or birth parent's partner living with her and the child in an enduring relationship - I had (or will have) the main responsibility for the care of our child at the time of the birth (along with the child's mother or birth parent) - I have been (or will have been) employed or self-employed in England, Scotland or Wales in 26 weeks of the 66 weeks before the expected week of birth - I have (or will have) earned in total at least £... in 13 weeks of the 66 weeks before the expected week of childbirth - I consent to the amount of SPL which the mother or birth parent intends to take, as set out in Section D above. - I consent to the mother or birth parent's employer processing the information I have provided - I consent to the amount of ShPP which the mother or birth parent intends to take, as set out in Section E above. - The information provided in this declaration is accurate	
Signature of partner	
Date signed	

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

SECTION A:	
General (must be completed)	
Please accept this as notification that I (the mother or birth parent) do not intend to take SPL (or ShPP where relevant) but that my partner will be.	
Mother or birth parent's last name	
Mother or birth parent's first name(s)	
SECTION B:	
Confirmation	
• I am either not entitled to SPL (or ShPP, where relevant), or I do not intend to take SPL (or claim ShPP, where relevant) • I declare that my partner has given notice to their employer to take SPL and/or ShPP • I consent to my partner's claim for SPL and/or ShPP	
SECTION C:	
Signature (must be completed)	
Signature of mother or birth parent	
Date signed	

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

SECTION A:	
General (must be completed)	
Please accept this as notification that I (the partner) am entitled to and intend to take SPL (and ShPP if section C is completed).	
Partner's last name	
Partner's first name(s)	
Mother or birth parent's surname	
Mother or birth parent's first name(s)	
Mother or birth parent's address	
Mother or birth parent's National Insurance number (put 'none' if no number is held)	
Expected date of child's birth	
Actual date of child's birth (if child not yet born I will provide this information as soon as reasonably practicable following birth and before I take any SPL)	
SECTION B:	
Maternity entitlement details (all answers that apply must be completed)	
Start date of mother or birth parent's maternity leave (if applicable)	
End date of mother or birth parent's maternity leave (if applicable)	
Total number of weeks of maternity leave taken (or that will be taken) when maternity leave ends	
Start date of SMP or MA (if applicable)	
End date of SMP or MA (if applicable)	
Total number of weeks SMP or MA has been paid or will have been paid at date of curtailment	
Total number of weeks SMP or MA will be reduced by (39 weeks less total number of weeks SMP or MA has been paid or will have been paid at date of curtailment)	
SECTION C:	
Amount of SPL available (must be completed)	
The total number of weeks of SPL created depends on the mother or birth parent's leave and pay entitlements.	
• If the birth mother or birth parent was/is entitled to maternity leave and SMP/MA, the total created will be 52 weeks less any weeks maternity leave taken • If the mother or birth parent was/is entitled to maternity leave but not to SMP or MA, the total created will be 52 weeks less any weeks maternity leave taken • If the mother or birth parent was/is not entitled to maternity leave but was entitled to SMP/MA, the total created will be 52 weeks less any weeks of SMP/MA that was paid • If the mother or birth parent previously revoked her curtailment notice any SPL that was taken by the partner must be deducted	

Total number of weeks of SPL created (50 max)	
Total number of weeks of SPL I (the partner) intend to take	
Total number of weeks of SPL the mother or birth parent intends to take (if applicable)	
SECTION D:	
Partner's leave plans (must be completed but is not binding)	
I (the partner) currently expect to take SPL as follows:	
[Note: It can help to answer this as 'from...to...']	
SECTION E:	
Amount of ShPP available (only if claiming ShPP)	
Total number of weeks of ShPP created (39 weeks less total number of SMP/MA taken and any ShPP paid from a previous notice and revocation)	
Total number of weeks of ShPP I (the partner) intend to take	
Total number of weeks of ShPP the mother or birth parent intends to take	
I (the partner) currently expect to take ShPP as follows:	
[Note: It can help to answer this as 'from...to...']	

SECTION F:

Partner's declaration (must be completed)

The following points apply in all circumstances:

- I am giving notice that I am entitled to and intend to take SPL
- I am the father of the child, or at the time of the birth I was (or will be) the mother or birth parent's spouse, civil partner and/or partner living with them and the child in an enduring relationship
- I have been (or will be) continuously employed for 26 weeks at the end of the 15th week before the week in which the child is due
- I will remain employed with this employer until any period of SPL that I intend to take
- I had (or will have) shared responsibility for the care of our child at the time of the child's birth (along with the child's mother or birth parent who has made the declaration below)
- I will give my employer a copy of my child's birth certificate or a declaration of the date and place of the birth where no certificate is available if my employer asks for this within 14 days of the date of this notice
- I will give my employer the name and address of the mother or birth parent's employer or a declaration that they do not have an employer if my employer asks for this within 14 days of the date of this notice
- I will inform my employer immediately if I am no longer caring for our child or if my partner revokes their notice to curtail her maternity leave or SMP/MA period
- The information provided in this declaration is accurate and meets the notification requirements for SPL

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

I am giving notice that I am entitled to and intend to take ShPP

- I have been (or will be) paid at least the Lower Earnings Limit in the 8 weeks leading up to the end of the 15th week before the expected week of childbirth
- I intend to care for my child in the weeks I receive ShPP
- I will be absent from work in each week in which I will be paid ShPP and I will be on SPL in those weeks (if entitled to SPL)
- I will remain employed with this employer until before the date of my first period of ShPP
- The information provided in this declaration is correct

Signature of partner

Date partner signed

SECTION G:

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

The following points apply in all circumstances:

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

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

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

Signature

Date signed

ANNEX II - NOTICES TO BOOK SHARED PARENTAL LEAVE

Template for a letter or email the employee needs to send to their employer to book a block of Shared Parental Leave (SPL) and/or Shared Parental Pay (ShPP).

There are 2 templates – use the one that applies to you.

1. **Notice to book a block of continuous SPL:** Complete this if you want to book a block of SPL. Your employer must accept this, although they can discuss it with you.
2. **Notice to book a block of discontinuous SPL:** Complete this if you want to book in a single notice weeks of SPL arranged around some weeks where you work and some where you take SPL. Your employer can refuse this or discuss it with you.

Using these templates

- Enter your own details where there are [square brackets]. You will need to add in dates, personal details or delete parts that do not apply to you.
- If you do not want to claim ShPP for this notice, or if you do not qualify for ShPP, delete those parts.
- You can only give notices to book SPL when you've confirmed your entitlement to SPL and/or ShPP with both your own employer and the employer of the person you're sharing this entitlement with.
- You can usually make up to 3 notices to book or change SPL dates.
- You must give your employer 8 weeks' notice of any SPL or ShPP you want to take.
- Parents and employers should keep a copy of any completed notices.

1. Notice to book continuous Shared Parental Leave

[date dd/mm/yy]

Dear [name of manager or employer],

My current remaining entitlement to Shared Parental Leave (SPL) is [...] weeks.

This notice is to book a period of [...] weeks of SPL.

I will be taking a continuous period of leave from [date dd/mm/yy] to [date dd/mm/yy].

My current remaining entitlement to Statutory Shared Parental Pay (ShPP) is [...] weeks.

During my period of SPL I would like to receive [...] weeks ShPP.

I would like this paid from [date dd/mm/yy] to [date dd/mm/yy].

I understand this counts as 1 of my 3 notices to book leave and I have [...] notices remaining.

Yours sincerely,

2. Notice to book discontinuous Shared Parental Leave

[date dd/mm/yy]

Dear [name of manager or employer],

My current remaining entitlement to Shared Parental Leave (SPL) is [...] weeks.

I would like to take a discontinuous leave in the following blocks [add as many dates as you are requesting] from [date dd/mm/yy] to [date dd/mm/yy]

I understand that you do not have to agree to this and that if we do not reach an agreement within 14 days of the date I gave this notice, I must either withdraw the notice 15 days after the notice date or take the total amount of SPL requested in this booking as one continuous leave.

I understand my leave will begin on the start date of the first block of leave I requested unless I notify you within 19 days of the notice date of a different start date. [A new start date must be at least 8 weeks after the notice date.]

My current remaining entitlement to Statutory Shared Parental Pay (ShPP) is [...] weeks.

During my SPL I would like to receive [...] weeks of ShPP.

If the proposed period of SPL is agreed I would like to be paid ShPP [add as many dates as you are requesting] from [date dd/mm/yy] to [date dd/mm/yy].

I understand this counts as 1 of my 3 notices to book leave and I have [...] notices remaining.

Yours sincerely,

3. Template notice to cancel or vary a Shared Parental Leave booking

For a parent who's eligible for Shared Parental Leave (SPL) and wants to cancel or change the dates of their SPL with their employer. Use template option A or B depending on the situation.

NOTE: You must give your employer 8 weeks' notice to vary or cancel SPL.

A. Cancellation of SPL

[date dd/mm/yy]

Dear [name of manager or employer],

I am writing to cancel Shared Parental Leave (SPL) I'd booked for the following dates: from [insert date/s].

I understand I have [insert remaining notices] of my 3 notices left to use.

To my understanding, I have [insert weeks] of my total SPL entitlement remaining.

B. Change of SPL

[date dd/mm/yy]

Dear [name of manager or employer],

I am writing to change the dates of Shared Parental Leave (SPL) I have booked. The original dates were from [insert date/s] for [insert weeks leave]... weeks after the birth or adoption placement of my child.

The new date/s I wish to book are [insert date/s].

I would like my Shared Parental Pay (ShPP) to be paid on the same dates as above/ [insert date/s if different to above] [delete as appropriate].

I understand this counts as 1 of my 3 notices and that I have [insert remaining notices] notices left to use.

To my understanding, I have [insert weeks] of my total SPL entitlement remaining.

Yours sincerely,

4. Template letter for confirmation of entitlement to Shared Parental Leave

[date dd/mm/yy]

Dear,

Thank you for telling us about your entitlement to take Shared Parental Leave.

We confirm that, based on the information you have given us, you are entitled to take Shared Parental Leave.

We can confirm that you currently have weeks of Shared Parental Leave to take. You have weeks of Statutory Shared Parental Pay.

If you and your partner wish to change the amount of leave and/or pay that you're each entitled to, then you must tell us in writing:

- any Shared Parental Leave or Pay you or your partner have already booked
- the number of weeks you're adding to your entitlement from your partner's entitlement or the number of weeks you are giving to your partner
- when you expect to take any more weeks of Shared Parental Leave

You will also need to give us a declaration signed by you and your partner both agreeing to the change.

If you have any questions about your Shared Parental Leave and pay entitlement, please do not hesitate to speak to[name of manager/ HR department].

Yours sincerely,

.....

5. Template letter for confirmation of Shared Parental Leave booking

Date [dd/mm/yy]

Dear,

Thank you for your notice to take Shared Parental Leave starting on [dd/mm/yy].

We confirm you're entitled to take Shared Parental Leave as set out in your notification.

I can confirm that you will be away from work on Shared Parental Leave from to [if discontinuous leave, amend as needed].

You are expected to return to work on the first working day after your leave period ends.

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

If you wish to change or reduce the leave that you've booked, you must give at least 8 weeks' notice before any amended dates occur. This will count as 1 of your 3 notices to book or vary Shared Parental Leave.

If you have any questions about your Shared Parental Leave and pay entitlement, please do not hesitate to speak to [name of manager/ HR department].

Yours sincerely,

6. Template letter for refusal of a discontinuous leave booking for Shared Parental Leave

Date [dd/mm/yy]

Dear,

Thank you for your notice to book Shared Parental Leave, given on [dd/mm/yy].

Having given it careful consideration, I regret that the organisation is not able to agree to the discontinuous leave you requested.

The total amount of leave you requested – weeks – will automatically become a continuous block or you can withdraw the request.

Unless you tell us otherwise, the continuous leave will begin on the date you originally requested your leave period to start – [dd/mm/yy].

If you would like the period to begin on a different date please confirm this to[name of manager/ HR department] on or before [dd/mm/yy]. Please remember that the start date cannot be sooner than 8 weeks from the date you gave your original notice.

If you withdraw your notification on or before [dd/mm/yy], it will not count as 1 of your 3 notices to book Shared Parental Leave.

If you have any questions about your Shared Parental Leave or pay entitlement, please do not hesitate to speak to[name of manager/ HR department].

Yours sincerely,

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