

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PERSONNEL COMMITTEE

DECISION

Agenda Item No. 6

meeting date: WEDNESDAY, 19 OCTOBER 2016
title: MATERNITY POLICIES
submitted by: MICHELLE SMITH – HEAD OF HR
principal author: DIRECTOR OF RESOURCES – JANE PEARSON

1. PURPOSE

1.1 To ask Members to approve updates to the Council's Maternity, Paternity, Adoption and Parental Leave policies, and approve a new Shared Parental Leave policy.

1.2 Relevance to the Council's ambitions:

- Council Ambitions: in order to meet our objective of being a well managed Council, it is important that we have appropriate policies and procedures in place to ensure that staff are fit to carry out their duties and responsibilities at all times.
- Community Objectives: see above.
- Corporate Priorities: See above.
- Other considerations: None.

2. BACKGROUND

2.1 The Council has had stand-a-lone Maternity, Paternity, Adoption and Parental Leave policies in place for a number of years; these have all recently been reviewed in line with our regular schedule for the review and revision of staff policies and procedures, and to incorporate any changes in legislation.

2.2 In December 2014 new Shared Parental Leave regulations came into force which applied to babies that were born, or adoptions that took effect, from 1 April 2015 onwards.

2.3 All the above policies are incorporated in to staff contractual terms and conditions of employment via the Staff Handbook.

3. ISSUES

3.1 An updated 'Maternity, Paternity and Adoption Policy' is attached at Appendix 1. There have been no fundamental changes to the content of the previous policies as listed at 2.1 – the update has merely sought to bring existing policies together under one banner to reflect any changes in legislation and present them in a more 'user-friendly' manner.

3.2 An updated 'Parental Leave Policy' is attached at Appendix 2. Once again there have been no fundamental changes to the policy, rather it has been updated to be consistent in style and tone with the 'Maternity, Paternity and Adoption Policy'.

3.3 The Shared Parental Leave policy (as attached at Appendix 3) is a new policy that has been created in response to the Shared Parental Leave regulations that were introduced in December 2014. These regulations gave a statutory right to take Shared Parental Leave and receive Statutory Shared Parental Pay when doing so. The regulations are complex and nationally, take up of the regulations has been very

small with only 1% of fathers applying to take Shared Parental leave since 1 April 2015. To date, we have not received any requests for Shared Parental Leave, but it is important that we have a policy in place so that we have a clear procedure to follow should someone wish to exercise their rights.

3.4 UNISON have been consulted on all the policies and support the latest revisions to the policies attached at Appendix 1 and 2. They also support the creation and introduction of the new Shared Parental Leave policy as outlined at Appendix 3.

3.5 Once approved, staff will be made aware of the new policies via the monthly staff newsletter – ‘Backchat’ and via email notification. The policies will also be uploaded to the ‘Staff Handbook’ area of the staff intranet.

4. RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources: no implications identified.
- Technical, Environmental and Legal: formal policies and procedures are key documents to ensure that the Council complies with statutory legislation and in doing so protect the Council from any potential claims.
- Political: no implications identified.
- Reputation: the updated policy will maintain the Council’s reputation as a good employer by demonstrating that our policies adhere with current legislation.
- Equalities and Diversity – having clear policies and procedure ensures that all staff are treated fairly and consistently.

5. **RECOMMENDED THAT COMMITTEE:**

5.1 Approve the update of the ‘Maternity, Paternity and Adoption Policy’ as attached at Appendix 1.

5.2 Approve the update to the ‘Parental Leave Policy’ as attached at Appendix 2.

5.3 Approve and adopt the ‘Shared Parental Leave Policy’.

MICHELLE SMITH
HEAD OF HR

JANE PEARSON
DIRECTOR OF RESOURCES

BACKGROUND PAPERS

APPENDIX 1
MATERNITY, PATERNITY AND ADOPTION POLICY

APPENDIX 2
PARENTAL LEAVE POLICY

APPENDIX 3
SHARED PARENTAL LEAVE POLICY

For further information please ask for Michelle Smith, ext 4402



Ribble Valley
Borough Council

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MATERNITY, PATERNITY AND ADOPTION POLICY

SECTION 1 - MATERNITY LEAVE

Who does this Policy apply to?

This policy applies to employees who are expecting a child, or who expect a child to be placed with them for adoption.

What is Ribble Valley Borough Council's Maternity Policy?

Employees who meet certain qualifying lengths of service will be entitled to receive occupational maternity pay and maternity leave in addition to their statutory entitlements.

The Council will ensure that pregnant employees' rights are managed to meet legislative requirements in respect of:

- Time off for antenatal care
- Statutory Maternity Leave (SML)
- Maternity Pay (whether this is Statutory Maternity Pay (SMP) or Maternity Allowance (MA) or Occupational Maternity Pay (OMP))
- Protection against unfair treatment or dismissal, including on the grounds of sex discrimination
- Health and Safety protection
- Keeping reasonable contact during maternity leave

What are the arrangements for attending Antenatal Care?

Regardless of how long you have worked for the Council you are entitled to reasonable time off for antenatal appointments, check-ups or recommended classes made on the advice of a registered medical practitioner, registered midwife or health visitor. We want to encourage you to attend all antenatal appointments which check on your health and the health of your baby, as we realise how important these checks are. Wherever possible you should try and make these appointments and clinics at either the beginning or end of the day or around your work responsibilities. However we do realise that this may not always be possible, so if you are attending antenatal care during the working day then time off is restricted to the duration of the appointment and reasonable travelling time. Evidence of appointments must be produced if requested. Human Resources can provide more advice on time off if necessary.

What maternity leave am I entitled to?

All pregnant employees are entitled to 52 weeks Statutory Maternity Leave (SML), subject to certain notification requirements as outlined in this Policy.

- The first 26 weeks' of SML are known as Ordinary Maternity Leave (OML).
- The second 26 weeks are known as Additional Maternity Leave (AML).
- During this 52 week period you are entitled to any contractual benefits you would normally receive whilst at work, **excluding pay**.
- You are not obliged to take the full 52 weeks, however you must take at least two weeks' maternity leave after the day of your child's birth. This period is called 'compulsory maternity leave'.
- You can opt to end your maternity leave early and gain the right to take Shared Parental Leave. For more information please see the Council's Shared Parental Leave Policy.

What pay do I receive during maternity leave?

Statutory rights: Most women will be entitled to either Statutory Maternity Pay (SMP) or Maternity Allowance (MA).

- To qualify for SMP you must have been employed by the Council for 26 weeks by the 15th week before the week your baby is due and earn enough for National Insurance purposes. SMP is then paid for 39 weeks. The first six weeks of SMP is paid at 90% of average contractual earnings (or at the SMP flat rate if this is higher). The remaining thirty-three weeks are paid at the SMP flat rate.
- If you do not qualify for SMP we will write to you to confirm this. Maternity Allowance is paid to women who are not entitled to SMP but meet the qualifying conditions based on National Insurance records.

Occupational rights: If you have completed one year's continuous Ribble Valley Borough Council and/or local government service at the 11th week before your expected week of childbirth you will receive the following payments:

- For the first six weeks of absence you will be entitled to 90% of a week's pay offset against payments made by way of SMP (or Maternity Allowance if you are not eligible for SMP).
- Subject to you agreeing to return to work for three months, the next 12 weeks will be paid at half pay plus SMP but cannot exceed full pay.
- If you are not intending to return to work there is no entitlement to pay after the first six weeks' pay other than SMP / MA payments.

Entitlement to maternity pay

Payment of the 12 weeks half pay is made subject to you returning to local authority or Ribble Valley Borough Council employment for a period of at least three months. Failure to do so will result in the Council reclaiming the 12 weeks occupational maternity pay.

What must I do to claim maternity leave and maternity pay?

Notification period:

You must notify your Head of Service/Manager in writing at least 28 days before your absence begins or as soon as is reasonably practicable.

Notification details:

- that you are pregnant and that you intend to take maternity leave and return to work after your baby's birth;
- the date when you will begin your absence;
- the date when your baby is due. You must also provide your Maternity Certificate (form Mat B1). You can ask your doctor or midwife for this after your 20th week of pregnancy.

You can change your mind about when you want to start your maternity leave providing you inform your Head of Service/Manager at least 28 days in advance of the start date (unless this is not reasonably practicable).

The Council will provide a written response to this notification within 28 days, setting out the date on which you are expected back at work if you take your full entitlement to maternity leave.

When can maternity leave start?

Maternity leave can start no earlier than the beginning of the 11th week before the expected week of childbirth. You have the right to work right up to the day of birth if you wish. However, if you are absent from work because of a pregnancy related reason in the four weeks before your expected week of childbirth, your maternity leave will automatically start from the first date of this absence, regardless of when you have said you actually want your

maternity leave to start. You can start your maternity leave on any day of the week.

How will we keep in touch during my maternity leave?

There may be occasions when the Council needs to contact you during your maternity leave e.g. to tell you about changes at work or to let you know about job vacancies.

In addition to this you can do up to ten days' work during your maternity leave. These are known as 'Keeping in Touch Days'. These days are not restricted to your usual work. They can also be used to attend training or other events.

The request for a 'Keeping in Touch Day' (KIT) can come from the Council or you and must be agreed by both parties. There is no requirement for the Council to offer any 'Keeping in Touch Days' and there is also no obligation on you to take any. You will receive your normal pay for any 'Keeping in Touch Days' worked. Payment will be based on the number of hours worked. Please note that any part of a day worked counts as a Keeping in Touch day e.g. if you came into work for two hours that will count as one Keeping in Touch day.

What do I need to do when I decide when I want to return to work?

Following maternity leave you have the right to return to the job in which you were employed before the absence or, if that is not reasonably practicable, to a job that is suitable and appropriate in the circumstances. All terms and conditions, including remuneration, must be no less favourable than those applying prior to the absence.

If you intend to return to work at the end of your full 52 weeks maternity leave period you do not need to notify the Council.

If you wish to return to work before the end of the 52 weeks maternity leave you must notify your Head of Service/Manager in writing of the date you intend to return giving at least 21 days' notice.

Where the notice given is less than stated above the Council may postpone the return to work to ensure the appropriate notice is given but not beyond the end of the maternity leave period.

You should also note that if the 52 weeks expire and you have not sent any explanation to the Council (for example an appropriate fit note if you are sick) you will lose your right to return to work and repayment of any occupational maternity pay will be due (ie 12 weeks half pay).

What if I choose not to return to work?

If you choose not to return to work then you must give the appropriate amount of notice to leave. All maternity leave and employment protections will continue until the end of your notice period. If you do not return to work you will be required to repay your occupational maternity pay.

Are there any health and safety implications?

The Council has a responsibility to undertake risk assessments of all expectant mothers to ensure that they are not exposed to risks. The initial risk assessment is completed with the Head of Service/Manager and is reviewed as your pregnancy progresses. If risks are identified, options will be considered such as changes to your working conditions/hours or temporary alternative work. As a last resort suspension from work with pay should be considered for as long as necessary to protect the health and safety of you or your child.

Can I request flexible working arrangements when I return to work?

The Council supports the aim of encouraging women to return to work following maternity leave or adoption leave and will consider requests for flexible working arrangements as indicated in the Council's Right to Request Flexible Working Policy. If you are thinking of requesting a change to your terms and conditions by reducing the hours and/or days you work then it is best to raise this with your Head of Service/Manager as soon as possible. The Council will do its best to accommodate your request but it must fit in with the needs of the service.

You should consider that if you request to work part time then this will be a permanent change and will affect your conditions of employment including annual and statutory leave entitlement, calculations for pension and redundancy payments etc. Requests to work part time on a temporary basis may also be considered but will also be subject to business needs and budgetary constraints.

Am I still entitled to Annual Leave?

Before you commence maternity leave you are only entitled to take the annual leave that you have accrued up to that date.

Entitlement to annual leave and bank holidays will continue to accrue over the maternity leave period but you will only earn the right to take it when you return to work.

If you have any queries about your leave entitlement either before you start your maternity leave or after then please ask Human Resources for advice.

What happens if my baby is Stillborn or dies?

If your baby dies or is stillborn after 24 weeks' pregnancy the Maternity Scheme will still apply and you can take up to 52 weeks Maternity Leave.

Where this happens before 24 weeks (miscarriage) the Council will give sympathetic consideration to the circumstances.

Pension

When receiving OMP or SMP, pension contributions will be taken from the pay you receive. If you choose to take additional unpaid maternity leave you can choose to pay contributions made on SMP.

If you do not pay pension contributions during the period of additional unpaid maternity leave, you will have 30 days from the date you return to work or the date you tell the Council you are leaving, to decide whether you want to pay the extra contributions.

If you do not pay contributions for the period of additional unpaid maternity leave, it will not count as membership of the Local Government Pension Scheme.

If you have any questions regarding the scheme or your entitlements, do not hesitate to contact Payroll on extension 4439.

SECTION 2 - MATERNITY SUPPORT LEAVE AND PATERNITY LEAVE

Maternity Support Leave

What is Maternity Support Leave?

Maternity Support Leave of five days with pay is given to the child's father, or the partner or the nominated carer of an expectant mother, at or around the time of the birth, or partner of an employee who adopts. A nominated carer is the person nominated by the mother to assist with the care of the child and to provide support to the mother at or around the time of the birth.

In order to qualify for support leave you should give notice of your intention to take Maternity Support Leave by the end of the 15th week before the baby is due. You will be required to produce a copy of the expectant mother's Mat B1 certificate and confirmation from the expectant mother that you are the nominated carer.

Paternity Leave

What is Paternity Leave?

You must satisfy the following conditions in order to qualify for Paternity Leave (PL):

- have, or expect to have, responsibility for the child's upbringing
- be the biological father of the child or the mother's husband or partner or be the co-adopter or adopter's partner
- have at least 26 weeks continuous local government and/or Ribble Valley Borough Council service leading into the 15th week before the baby is due; or for adoptions - at the end of the week matched for adoption (for UK adoptions); or the date the child enters the UK (for overseas adoptions).
- you have average weekly earnings above the lower earnings limit for National Insurance (this can be checked with payroll).
- to the best of your knowledge, intend to work from the 15th week before the baby is due up to the date of birth.
- you are to become an adoptive father and can provide evidence of notification from the Adoption Agency notifying you of the date you were matched with a child.

If you meet these conditions you are entitled to either one or two consecutive week's PL to be taken within 56 days of the actual date of the birth of the child; or for adoptions - within 56 days of the date of placement or the child's arrival in the UK. The leave cannot be taken in odd days.

The Council has agreed that 5 days paid PL will be granted to the child's father, or partner, or nominated carer of an expected mother. An employee is not entitled to take Maternity Support Leave as well as Paternity Leave. Paternity Leave must be taken before any Shared Parental Leave, otherwise the entitlement will be lost.

In order to qualify for PL you will be required to produce a copy of the expectant mother's Mat B1 certificate and to make a formal request for leave by completing the Paternity Leave request Form (Appendix 1). Where possible this should be done by the end of the 15th week before the baby is due.

Other Information

Can I have time off to Attend Ante Natal Appointments and Classes?

Partners have a statutory right to **unpaid** time off to attend ante natal appointments during the pregnancy, with a **maximum of 6.5 hours per appointment**. The Council does recognise that many partners would like to support the expectant mother by going to other

appointments or classes with her. We will therefore be supportive of any request to take leave, flexi or unpaid leave to accommodate this, subject to business needs. You should make sure that you give as much notice as possible and show your Head of Service/Manager some evidence of the appointment.

SECTION 3 – ADOPTION LEAVE

Adoption Leave and Pay

Who qualifies for Adoption Leave?

In order to qualify for adoption leave, you must be newly matched with a child for adoption by an approved adoption agency. Where a couple are adopting, only one person from the couple can take adoption leave. The other person could take Paternity Leave and/or Shared Parental Leave, subject to eligibility. You can also qualify for adoption leave for having a child through a surrogacy arrangement.

Adoption leave is dependent on length of service as follows:

- If you have 26 weeks' continuous Ribble Valley Borough Council and/or local government service leading into the week in which you are notified of being matched with a child for adoption you will be entitled to 26 weeks' Adoption Leave together with an additional period of 26 weeks' Additional Adoption Leave, giving a total entitlement of 52 weeks.
- Most adopters will be entitled to Statutory Adoption Pay (SAP) for 39 weeks.
- If you have more than one year's continuous Ribble Valley Borough Council and/or local government service at the date of adoption and you are adopting a baby under one year old you will be entitled to the same period of leave and pay as biological mothers with one year's qualifying service. This will also be subject to the same minimum return to work requirements as section 1 of this Policy.
- If you have more than one year's continuous Ribble Valley Borough Council and / or local government service at the date of adoption and you adopt a child older than one year you will be entitled to 26 week's Adoption Leave with an additional period of 26 weeks Additional Adoption Leave, giving a total entitlement of 52 weeks. The first six weeks of this leave will be paid at 90% of average contractual earnings; the next 12 weeks will be paid at half pay. Statutory Adoption Pay will be paid from weeks 19 - 39. Payment of the occupational element of Adoption Pay (i.e. weeks 7 - 18 at half pay) is subject to a return to work of a minimum of three months.
- You can opt to end your adoption leave early and gain the right to take Shared Parental Leave. For more information please see the Council's Shared Parental Leave Policy.

Adoption leave and pay is not available in circumstances where a child is not newly matched for adoption e.g. when a step-parent is adopting a partner's child or where the child is being adopted by existing foster-carers.

If you qualify for adoption leave, you will also qualify for paid time off work to attend five adoption appointments after you've been matched with a child. You must provide evidence of the appointments.

You will not qualify for either adoption leave or pay if you:

- Become a special guardian or kinship carer
- Adopt a stepchild
- Adopt a family member or stepchild
- Adopt privately, eg without permission from a UK authority or adoption agency

How do I give notice of intention to take adoption leave?

Adopters will be required to inform the Council of their intention to take adoption leave within seven days of being notified by their adoption agency that they have been matched with a child, unless this is not reasonably practicable. You must provide a Matching Certificate from the adoption agency which includes basic information on matching and placement dates.

If you are having a child through a surrogacy arrangement then you must tell us the due date and when you want to start your leave at least 15 weeks before the expected week of birth and provide a written statement ('statutory declaration') to confirm you have applied or will apply for a parental order in the six months after the child's birth.

The Council will have 28 days in which to respond to your notification, setting out the date on which you expect to be back at work if the full entitlement to adoption leave is taken.

When will the Adoption Leave commence?

The adoption leave will commence from the date of the child's placement or from a fixed date which can be up to 14 days before the expected date of placement. Placement is defined as when the child comes to live permanently with the adopter.

How will we maintain reasonable contact during the adoption leave?

There may be occasions when the Council needs to contact you during your adoption leave e.g. to tell you about changes at work or to let you know about job vacancies.

In addition to this you can do up to ten days' work during the adoption leave. These are known as 'Keeping in Touch Days'. These days are not restricted to your usual work. They can also be used to attend training or other events.

The request for a 'Keeping in Touch Day' can come from the Council or from you and must be agreed by both parties. There is no requirement for the Council to offer any 'Keeping In Touch Days' and there is also no obligation on you to take any. You will receive your normal pay for any 'Keeping in Touch Days' worked. Payment will be based on the number of hours worked. Please note that any part of a day worked counts as a Keeping in Touch day e.g. if you came into work for two hours that will count as one Keeping in Touch day.

What do I do when I want to return to work after adoption leave?

Following adoption leave you have the right to return to the job in which you were employed before the absence, or if this is not reasonably practicable, to a job that is suitable and appropriate in the circumstances. All terms and conditions, including remuneration, must be no less favourable than those applying prior to the absence.

If you intend to return to work at the end of your full adoption leave period then you do not need to notify the Council. If you want to return to work before the end of your adoption leave period then you must give the Council 21 days' notice in writing.

What is my entitlement to adoption leave and pay?

Adoptive parents of either sex will be entitled to adoption leave but only one parent can qualify if both parents are employed by the Council. The partner of an employee who adopts will be entitled to Maternity Support Leave or Paternity Leave. (See Section 2 of this document.)

Can I request flexible working arrangements when I return to work?

If you are thinking of requesting a change to your terms and conditions by reducing the hours and/or days that you work then it is best to raise this with your Head of Service/Manager as soon as possible. The Council will do its best to accommodate your request but it must fit in with the needs of the service.

You should consider that if you request to work part time then this will be a permanent change and will affect your conditions of employment including annual and statutory leave entitlement, calculations for pension and redundancy payments etc. Requests to work part time on a temporary basis may also be considered but will also be subject to business needs and budgetary constraints.

Am I still entitled to Annual Leave?

Before you commence adoption leave, you will only be entitled to take annual leave that you have accrued up to that date.

Entitlement to annual leave and bank holidays will accrue over the adoption leave period but you will not earn the right to take it until you return to work.

If you have any queries about your annual leave entitlement either before you start your adoption leave or after then please ask Human Resources for advice.

What if I decide not to return to work?

If you decide that you do not wish to return to work then you must give the appropriate amount of notice to terminate your employment. All adoption leave and employment protections will continue until the end of your notice period. If you do not return to work you will be required to repay your occupational adoption pay.

Pension

When receiving AL or SAP, contributions will be taken from the pay you receive. If you choose to take additional unpaid adoption leave you can choose to pay contributions to make up your service.

If you do not pay contributions during the period of additional adoption leave, you will have 30 days from the date you return to work, or the date you tell the Council you are leaving, to decide whether you want to pay the extra contributions.

If you do not pay contributions for the period of additional adoption leave, it will not count as membership of the Local Government Pension Scheme.

If you have any questions regarding the scheme or your entitlements, do not hesitate to contact Payroll on extension 4439.



PATERNITY LEAVE REQUEST FORM

YOUR DATES FOR PAY AND LEAVE

The baby is due on / /

And, if the baby has been born, please enter the actual date of birth / /

The adoption will commence on / /

I would like my SPP and/or paternity leave to start on / /

I want to be away from work for one/two* weeks (**delete as appropriate*)

YOUR DECLARATION

Surname

First name(s)

National Insurance (NI) Number

You must be able to comply with all three sections below to get Statutory Paternity Pay and paternity leave.

I declare that:

I am: <ul style="list-style-type: none"> - the baby's biological father; or <input type="checkbox"/> - married to the mother; or <input type="checkbox"/> - living with the mother in an enduring family relationship, but am not an immediate relative <input type="checkbox"/> - my wife/partner and I have received notification from the Adoption Agency that we have been matched with a child. <input type="checkbox"/>
I have responsibility for the child's upbringing <input type="checkbox"/>
I will take time off work to support the mother or care for the child. <input type="checkbox"/>

Signature Date / /

Please return this declaration to your Head of Service (or Director in the case of a Head of Service) who will then forward it to the HR Officer.

Glossary of Terms

- AAL – Additional Adoption Leave
- AL – Adoption Leave
- EWC – Expected Week of Confinement
- KIT – Keeping in Touch Days
- MA – Maternity Allowance
- OAP – Occupational Adoption Pay
- OMP – Occupational Maternity Pay
- PL – Paternity Leave
- SAP – Statutory Adoption Pay
- SML – Statutory Maternity Leave
- SMP – Statutory Maternity Pay
- SPP – Statutory Paternity Pay

Signatures:

..... Chief Executive

..... Head of HR

..... UNISON Branch Secretary



Ribble Valley
Borough Council

www.ribblevalley.gov.uk

PARENTAL LEAVE POLICY

If you qualify for parental leave, this policy will tell you how to go about applying for leave and when you can take it. There is a separate policy for Shared Parental Leave.

DO I QUALIFY?

To qualify for parental leave you will need to meet ALL the following conditions:

- You are named on the child's birth or adoption certificate or have, or expect to have, parental responsibility for a child under the Children Act – referred to in the rest of these notes as 'your child'.
- The child is under 18.
- You want to take leave to care for your child.
- Your parental leave is taken on or before your child's 18th birthday.
- You have at least one year's continuous service with Ribble Valley Borough Council when you start your leave.
- You have not already taken 18 weeks parental leave to care for your child (either whilst working for us or with another employer).

HOW MUCH LEAVE CAN I HAVE?

You are entitled to a total of 18 weeks **unpaid** leave for each of your children who meet the age qualifications shown above. If you have twins, for instance, you would be entitled to 18 weeks parental leave for each child (so long as they meet the qualifications above).

Parental leave should be taken in blocks of a week or multiples of a week, and should not be taken as "odd" days off, unless, in exceptional circumstances, the council agrees otherwise or the child is disabled.

You can only take four weeks of your parental leave in any one leave year. If you take less than one week it will count as one week of your total 18 weeks entitlement.

If you have already had 18 weeks parental leave for your child while you were working for another employer, you cannot have any more parental leave from us. If you took some of your 18 weeks entitlement to leave with another employer then you can take the *balance* with us.

HOW IS A WEEK DEFINED?

A week equals the length of time you normally work in a week eg if you work five days per week, 1 week of parental leave is five days; if you work 2 ½ days per week, one week of parental leave is 2 ½ days. Where a working pattern varies from week to week or over a longer period, or if you are required to work some weeks and not others, a week is the total of all periods in which the employee works, divided by 52.

WHAT NOTICE DO I HAVE TO GIVE?

You have to give us at least 21 days' notice that you want to take parental leave, but it will help your Head of Service if you can give as much notice as possible.

If you want to take leave immediately after the birth of a baby or adoption of a child, we understand that you may not be able to give us very much notice (if any) of when you want to start your leave. In this case, we ask you to let us know as soon as you can that you are expecting the birth or adoption of a child and how much parental leave you wish to take as soon as your child arrives. This helps us to plan cover for your job while you are on leave. In any case, you should give us at least 21 days' notice of the expected date of arrival of your baby or child.

WHEN CAN I TAKE PARENTAL LEAVE?

You can request to take parental leave at any time of the year. If we ask you to postpone your parental leave (because it is not a convenient time for leave to be taken – due to business reasons) we will agree alternative dates within the following six months with you, in writing, at the time of postponement. Parental leave is normally only postponed where it would unduly disrupt the Council's business.

Your parental leave must finish by your child's 18th birthday. The only exception would be where we have asked you to postpone your parental leave. In this case your leave would be allowed to continue past the usual deadlines for completing parental leave.

Remember, you cannot start parental leave until your child is actually born or adopted.

CAN PARENTAL LEAVE BE ADDED TO MATERNITY LEAVE?

Yes – if you are taking maternity leave you can add your parental leave on to the end of your maternity leave to extend your time away from work so long as you have at least one year's service when your parental leave starts.

IS MY JOB AT RISK IF I TAKE PARENTAL LEAVE?

In normal circumstances you will return to your normal job and any potential change to your job would be discussed fully with you at the time of your application for parental leave.

CAN I REQUEST FLEXIBLE WORKING ARRANGEMENTS WHEN I RETURN TO WORK?

If you are thinking of requesting a change to your terms and conditions by reducing the hours and/or days you work then it is best to raise this with your Head of Service/Manager as soon as possible. The Council will do its best to accommodate your request but it must fit in with the needs of the service.

You should consider that if you request to work part time then this will be a permanent change and will affect your conditions of employment including annual and statutory leave entitlement, calculations for pension and redundancy payments etc. Requests to work part time on a temporary basis may also be considered but will also be subject to business needs and budgetary constraints.

WHAT HAPPENS WHILE I AM ON LEAVE?

Your contract continues as normal whilst you are on leave. Before you commence parental leave, you will only be entitled to take annual leave that you have accrued up to that date. Entitlement to annual leave will continue to accrue over the parental leave period.

WHAT WILL HAPPEN TO MY PAY DURING MY LEAVE?

You will not be paid while you are on parental leave. However, if your leave starts towards the end of a pay period, you should be aware that any unpaid leave falling after the payroll deadline may not be processed in time. In these circumstances any overpayment will be deducted from your monthly pay the following month.

You may, if you wish, continue to pay pension contributions whilst on unpaid leave. If you do not pay pension contributions during this period, you will have 30 days from the date you return to work to decide whether you want to pay the extra contributions. If you decide not to

pay contributions whilst on unpaid leave, that period will not count as membership of the local Government Pension Scheme.

CAN I CHANGE THE DATES OF MY PARENTAL LEAVE WHILST I AM ON LEAVE?

Once the dates of your parental leave have been agreed, you should not expect to change them. If there are particular reasons for needing to do so, you should speak to your Head of Service as soon as you can. If you want to extend your parental leave beyond the dates you have agreed, you must contact your Head of Service as soon as possible. Any requests will be carefully considered taking into account your particular circumstances and the rules of the scheme.

CAN I ADD PAID HOLIDAY ENTITLEMENT TO PARENTAL LEAVE?

You may be able to add some of your annual paid holiday entitlement to your parental leave but the dates would normally need to be agreed in advance through your Head of Service.

HOW DO I APPLY FOR PARENTAL LEAVE?

You need to complete a Parental Leave Request Form (Appendix 1) and give it to your Head of Service no later than 21 calendar days before you want to take your leave. If you want leave for a new born baby or an adoption, we need as much notice as is practicable and at least 21 days' notice of the expected dates of birth/adoption. If your child is disabled then no minimum notice is required.

You will see that we will need:

- Some details about your child, including reasonable evidence of the child's date of birth and your responsibility for the child.
- In certain cases, other supportive documentary evidence may be required.
- Your signature on the form to confirm that you have understood the rules of the parental leave scheme and that you qualify for leave in accordance with the details set out in these notes.

You should give your completed form to your Head of Service/Manager who will consider your request. Approval of parental leave will be confirmed in writing by the HR department.

Signatures:

..... Chief Executive

..... Head of HR

..... UNISON Branch Secretary

APPENDIX 1

PARENTAL LEAVE REQUEST FORM AND PARENTAL LEAVE RECORD



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Name of Employee: _____

Name of Child: _____

Child's Date of Birth: _____

Employee's Relationship with Child: _____

Is the child disabled? Yes/No

I wish to apply for Parental Leave as detailed below and I confirm that I have produced evidence to support my entitlement to Parental Leave.
I understand that this leave will be unpaid.

Signed: _____ Signed: _____
Employee Head of Service

(Supportive evidence could be: the child's date of birth eg birth certificate, Form MATB1; an employee's responsibility or expected responsibility for the child (eg adoption papers); entitlement to disability living allowance. A copy of the supportive evidence should be attached to this form).

Date of Leave		Period	Record of Leave		Payroll Notified
From	To	Weeks/Days Taken	Balance Remaining	Approved Signature of Head of Service	
Inclusive					



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SHARED PARENTAL LEAVE POLICY

This policy summarises the statutory right to take Shared Parental Leave (ShPL) and receive Statutory Shared Parental Pay (ShPP). It also sets out the Council's arrangements for staff wanting to take up this right.

Parents adopting a child can also take ShPL and receive ShPP. However, there are some differences in relation to eligibility and notification requirements. Please contact Human Resources if you want to discuss ShPL arrangements in relation to adoption.

This policy only applies to employees who qualify for shared parental leave.

What is Shared Parental Leave?

ShPL is a flexible statutory leave entitlement available to parents expecting a child to be born or to be newly matched with a child for adoption by an approved adoption agency, who meet the ShPL eligibility requirements. If eligible, parents can share up to 50 weeks of ShPL between them during the first year following the birth or adoption of a child, in order to care for that child. Employees taking ShPL may also be eligible to receive up to 37 weeks of ShPP between them.

Employees with 26 weeks service or more will normally qualify for ShPL - so long as the other parent is 'economically active' (either via employer or self-employed) - and they comply with the relevant statutory notification requirements. This policy sets out the statutory ShPL eligibility requirements.

Eligible parents can take ShPL on their own or can share leave between them. If sharing the leave, parents can take leave at the same time or at different times. Periods of ShPL can also be interspersed with periods of work.

A mother or primary adopter is under no obligation to curtail their statutory maternity leave/adoption leave (SML/AL) entitlement and opt into the ShPL regime. An eligible employee remains entitled to the full 52 weeks SML/AL entitlement and up to 39 weeks statutory maternity pay (SMP) maternity allowance (MA)/statutory adoption pay (SAP) entitlement.

ShPL is in addition to the statutory right to two weeks' ordinary paternity leave. However, ordinary paternity leave must be taken before ShPL; if not, the entitlement will be lost.

Are you eligible to take ShPL in relation to the birth of a child?

Mother

If you are employed by the council and the mother of a child, in order to take ShPL, you must:

- share the main responsibility for caring for your child along with the child's father or your partner
- have 26 weeks continuous employment with the Council at the end of the 15th week before the baby is due
- still be employed by the Council in the week before ShPL is to be taken
- be entitled to SML/AL
- have returned to work from SML or have 'curtailed' your SML
- have given us the required statutory notifications and supplied any requested evidence

In addition, as a mother, for you to qualify for ShPL, the father/your Partner must be 'economically active' ie:

- have worked for his/her employer (or been self-employed) for 26 out of 66 weeks before

- the EWC, and
- have average weekly earnings not less than the lower earnings limit for the payment of National Insurance Contributions for any 13 of those 66 weeks.

Father/Mother's Partner

If you are employed by the Council and the father, or the partner of a mother, of a child, in order to take ShPL, you must:

- share the main responsibility for caring for the child along with the child's mother
- have 26 weeks continuous employment with the Council at end of the 15th week before the baby is due
- still be employed by us in the week before ShPL is to be taken
- have given the required notifications and supplied any requested evidence

In addition, as the father/mother's partner, for you to qualify for ShPL, the mother must be 'economically active' ie:

- have worked for her employer (or for herself, if self-employed) for 26 weeks out of the 66 weeks before the EWC, and
- have average weekly earnings of not less than the lower earnings limit for the payment of National Insurance Contributions for any 13 of those 66 weeks
- be entitled to SML, SMP or maternity allowance
- have returned to work or curtailed her SML/SMP/maternity allowance

If you qualify for ShPL, you can take it even if the other parent does not qualify for ShPL in their own right, maybe because they do not have sufficient continuous employment with their employer.

Therefore, sometimes only one parent will be eligible for ShPL, sometimes both and sometimes neither.

If you and the other parent are both eligible for ShPL and wish to share any ShPL/ShPP entitlement between you, you will have to decide how you wish to do so and notify us accordingly.

Are you eligible to receive ShPP?

You will be eligible to receive ShPP if you are eligible to take ShPL and have normal weekly earnings in the eight weeks up to and including the 15th week before the baby is due of not less than the lower earnings limit for the payment of National Insurance contributions.

The amount of ShPP available to share between eligible parents is the number of weeks' pay left after a mother has curtailed her SMP/MA period. Effectively therefore once a mother has taken her two weeks compulsory SML (for which she is entitled to SMP), there will be a maximum of 37 weeks ShPP available to share. Any ShPL taken beyond this period will be unpaid.

ShPP is paid at a rate set by the government for the relevant tax year.

Notice requirements to take ShPL/receive ShPP

Before you can take ShPL, and if eligible, receive ShPP, (or allow the other parent to take ShPL/receive ShPP), you must both comply with specific statutory notifications. We summarise these below.

A. Mother must end/curtail her maternity leave/pay entitlement

In order for either parent to take ShPL (and if eligible receive ShPP) the mother must have either returned to work from SML/ended her SMP/MA, or given notice to end (i.e. 'curtail') her SML/SMP/MA.

If you are a mother on SML and/or receiving SMP and you and/or the other parent are eligible for and wish to take ShPL (and receive ShPP), you must give us at least eight weeks' written notice of the date you wish your SML and/or SMP period to end ('the curtailment date'). You should use Form 1: Curtailment of Maternity leave and Pay (included at the end of this policy) to give us notice of curtailment.

If you wish to take ShPL you must also provide us with a notice of entitlement and intention to take ShPL Form 2: Notification of Mother's Intention to take ShPL (for Mother's Employer) at the same time as your Maternity Leave/Pay Curtailment Notice. Even if you are curtailing SML/SMP only in order to allow the other parent to take ShPL and you will not be taking ShPL yourself, you must still provide us with a written declaration that the other parent has given their own employer a notice of entitlement and intention to take ShPL.

You can provide Curtailment of a Maternity Leave and Pay notification (Form 1) before or after the birth of your child, but your curtailment date cannot be until at least two weeks after the birth.

A curtailment of a Maternity leave and pay notification (Form 1) is usually binding and can **only be revoked** if your SML has not already ended and one of the following applies:

- You provided the curtailment notice (Form 1) *before giving birth*. In this case you can revoke it in writing up to eight weeks after it was given, or up to six weeks after the birth of your child, whichever is later.
- If you revoke your curtailment notice (Form 1) in these circumstances, you may submit a second curtailment notice and opt into the ShPL regime at a later date.
- You realise that neither you nor the other parent are in fact eligible for ShPL. In which case you can revoke your curtailment notice (Form 1) in writing up to eight weeks after it was given.
- The other parent dies. In which case you can elect to revoke your curtailment notice (Form 1) within a reasonable period.
- In either of these latter two cases you will not be entitled to submit a further curtailment notice (Form 1) and opt into the ShPL regime at a later date.

B. Notice of entitlement and Intention to take ShPL

All employees wishing to take ShPL (mother or father/mother's Partner), must supply us with a notice of entitlement and intention to take ShPL at least eight weeks before their first proposed period of ShPL. This will be Form 2 (Notification of Mother's Intention to take ShPL) if you are the mother, or Form 4 (Notification of Partner's Intention to take ShPL) if you are the father/mother's partner. The forms can be found at the end of this policy.

Completing the correct form will ensure you provide us with the required statutory information, including:

- The total amount of ShPL and ShPP available and how much of that will be allocated to you and how much to the other parent, if eligible. (You do not have to use your full allocations and you can change these allocations later by written notice)
- An indication of the pattern of ShPL and ShPP you are thinking of taking, including suggested start and end dates. (Again, although this indication is not binding at this stage, you should try to give us as much accurate information as you can about your

future intentions).

- A declaration that the other parent has met the applicable eligibility requirements for you to qualify for ShPL.

A mother wishing to take ShPL must provide her Form 2 at the same time as her Curtailment Maternity Leave and Pay Notification (Form 1).

If you intend to take ShPP but the mother is not, then the mother should complete Form 3 (Notice confirming that partner is taking ShPL but mother is not – for mother's employer). Form 3 should be submitted to us where you are the mother or to the mother's employer where you are the partner.

C. Period of Leave Notice (Booking ShPL)

Finally, before taking a period of ShPL, you must provide us with a Period of Leave Notice, setting out the start and end dates of your intended ShPL and if and when you intend to claim ShPP. You can use our Period of Leave Notice (Form 5) (included at the end of this policy) to notify us of your intended ShPL dates and dates on which you wish to receive ShPP.

- A Period of leave notice must be received at least eight weeks before the start of a period of ShPL.
- You are entitled to submit up to three Period of leave notices (Form 5) - entitling you to take up to three periods of ShPL.
- You can cancel or change a period of ShPL by notifying us in writing. Any new start date cannot be sooner than eight weeks from the date of the variation request. Any variation or cancellation will count as one of your three Period of Leave Notices (unless the reason for the variation is your child being born earlier or later than the EWC, we have requested the variation or we have refused a request from you for discontinuous leave and you withdraw your Period of Leave Notice).

How will we deal with your Period of leave notice (Form 5)

How we deal with a submitted Period of Leave Notice (Form 5) will depend on the pattern of leave you request.

Continuous period of leave

We envisage that most Period of Leave Notices will be for a single continuous block of ShPL. If this is the case, you are entitled to take the leave as specified in your notice. We will however aim to confirm your ShPL booking and any other arrangements in relation to your leave within 14 days of receipt of your Period of Leave Notice.

Discontinuous/split periods of leave

If your Period of Leave Notice (Form 5) contains a request for more than one period of ShPL - ie discontinuous/split periods of ShPL (of at least a week each), with periods of work in-between, and we are unable to agree to this request immediately, there will be a two week discussion period, during which we will consider your request.

At the end of this discussion period, we will confirm our decision in writing.

If we have to reject your initial requested pattern of discontinuous leave, and have been unable to agree alternative dates with you, you may withdraw your Period of Leave Notice within 15 days of submitting it. Withdrawing your leave notice in these circumstances will not

be counted as one of your three Period of Leave Notices (Form 5).

Alternatively, you may choose to take the full amount of ShPL requested in your Period of Leave Notice in one continuous block. (For example, if you requested three separate periods of three weeks ShPL, each interspersed with a month of work, and we rejected your request, you would be entitled to take one nine week block of ShPL.) You have five days from the end of the two week discussion period in which to notify us of a new start date for this continuous period of leave (which must be at least eight weeks after the date of your original Period of Leave Notice).

If you fail to withdraw your Period of Leave Notice within 15 days of submitting it and/ or fail to provide us with a new start date (as above), then your continuous period of ShPL will start from the first start date initially proposed in your initial Period of Leave Notice.

Evidence we are entitled to ask for in relation to ShPL entitlement/requests

On receipt of Form 2, we are entitled to ask you for the following information. If we ask for this information, you must supply it within 14 days of our request.

- A copy of your child's birth certificate (or if prior to birth, a signed declaration) or adoption papers.
- The name and address of the other parent's employer (or a declaration that they have no employer).

Keeping in touch during ShPL/SPLIT days

There may be occasions when the Council needs to contact you during ShPL, eg to update you on the situation at work or to discuss arrangements for your return. Please discuss with your Head of Service/Manager how you would prefer this contact to be made and the level of contact you would like.

You can also work or attend training for up to 20 days during your ShPL without bringing your ShPL to an end. These 20 Shared Parental Leave Keeping in Touch Days' (SPLIT days) must be agreed in advance and are in addition to any entitlement a mother may have to keeping in touch days (KIT days) during SML.

You will receive your normal hourly rate for hours worked on SPLIT days. Any part of a day worked will count as one full day from your SPLIT allowance. For example if you use a SPLIT day to attend a two hour meeting you will be paid for the hours worked but your remaining SPLIT allowance will be 19 days.

Returning to work/extending ShPL

If you want to end a period of ShPL early, you must give us eight weeks prior notice of your new return date. Please provide this notice in writing.

If you want to extend a period of ShPL (and assuming that you still have ShPL entitlement remaining and have not already submitted three Period of Leave Notices), you must submit a new Period of Leave Notice at least eight weeks before the date you were originally due to return to work from ShPL.

If you return to work from ShPL and your total amount of ShPL, SML, or paternity leave taken amounts to 26 weeks or less in aggregate, you are entitled to return to the same job.

If you return to work from ShPL and the total amount of leave taken, when added to any other period of ShPL, SML or paternity leave is more than 26 weeks, or if you took ShPL consecutively with more than four weeks of parental leave, and it is not reasonably practicable for you to return to the same job, you are entitled to return to an alternative similar job on no less favourable terms and conditions.

If you are interested in applying for different working arrangements on your return to work, you should refer to our Right to Request Flexible Working Policy which is available in the Staff Handbook section of the Intranet.

Benefits during ShPL

We will maintain your benefits during periods of ShPL (see below for pension benefits), although you will not be entitled to salary. However, you may be entitled to receive ShPP (see above).

Annual Leave during ShPL

If the leave year is due to finish during a period of ShPL, or shortly after the end of a period of ShPL, you should plan to use your annual leave entitlement before starting ShPL. Alternatively, you might consider ending your ShPL early and then transferring to annual leave in order to use up your entitlement.

Normally, we would expect you to plan your ShPL to enable you to take your full leave entitlement in the relevant leave year, subject to a maximum carry forward of three days (or pro rata if part time). However, if there are exceptional circumstances where this is not possible, please speak to Human Resources. Any request for annual leave must be approved by your Head of Service/Manager.

Pension

When receiving ShPP, pension contributions will be taken from the pay you receive.

If you choose to take additional unpaid ShPL you can choose to pay contributions made on SMP.

If you do not pay pension contributions during this period, you will have 30 days from the date you return to work, or the date you tell your employer you are leaving, to decide whether you want to pay the extra contributions. If you do not pay contributions, this period will not count as membership of the Local Government Pension Scheme.

If you have any questions regarding the scheme or your entitlements, do not hesitate to contact Payroll on extension 4439 for pay and pension advice.

What if I choose not to return to work

If you choose not to return to work then you must give the appropriate amount of contractual notice. You will retain your full entitlement to ShPP unless you start working for a new employer.

Signatures:

..... Chief Executive
..... Head of HR
..... UNISON Branch Secretary

Glossary of Terms

- AL – Adoption Leave
- KIT – Keeping in Touch Days
- MA – Maternity Allowance
- SAP – Statutory Adoption Pay
- ShPL – Shared Parental Leave
- ShPP – Statutory Shared Parental Pay
- SML – Statutory Maternity Leave
- SMP – Statutory Maternity Pay
- SPLIT – Shared Parental Leave Keeping in Touch Days

APPENDIX 1



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ShPL forms (resulting from Maternity)

These are the forms needed by a mother and the person she will share Shared Parental Leave (ShPL) with – known as the partner - to confirm eligibility and entitlement with their employers. The forms can also be used to confirm eligibility and entitlement to Shared Parental Pay (ShPP).

What forms need to be completed?			
	Both parents want to take ShPL	Just the mother wants to take ShPL	Just the partner wants to take ShPL
Form 1	YES	YES	YES
Form 2	YES	YES	NO
Form 3	NO	NO	YES
Form 4	YES	NO	YES
Form 5	YES	YES	YES

- Parents should use the calculator at www.gov.uk/pay-leave-for-parents to find some of the information needed to complete these forms
- If the mother is in receipt of Maternity Allowance (MA), she will need to notify Jobcentre Plus to curtail this entitlement

Key abbreviations used in these forms:

ShPL Statutory Shared Parental Leave

ShPP Statutory Shared Parental Pay

SMP Statutory Maternity Pay

MA Maternity Allowance

Form 1: Curtailment of Maternity Leave and Pay (for Mother's Employer)



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SECTION A: General (must be completed)	
Please accept this as my notice to curtail my maternity leave and/or SMP. This form is accompanied by notification that either I intend to take ShPL and/or ShPP or that my partner intends to take ShPL and/or ShPP. I understand that my maternity leave will end on the date given in Section B and that 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's surname	
Mother's first name(s)	
Child's expected date of birth	
Actual date of child's birth (if born)	
SECTION B: Curtailing maternity leave (must be completed)	
Date statutory maternity leave started/is intended to start	
Date statutory maternity leave will come to an end	
Total number of weeks of statutory maternity leave that will have been taken at the date that statutory maternity leave ends	
SECTION C: Curtailing maternity pay (only complete if claiming ShPP)	
Date SMP started/is intended to start	
Date SMP will come to an end	
Total number of weeks of SMP that will have been paid at the date that SMP ends	
SECTION D: Signature (must be completed)	
Signature of mother	
Date signed	

**Form 2: Notification of
Mother's intention to take
ShPL (for Mother's Employer)**



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SECTION A: General (must be completed)	
Please accept this as notification that I (the mother) am entitled to and intend to take ShPL (and ShPP if section C is completed).	
Mother's surname	
Mother's first name(s)	
Partner's surname	
Partner's first name(s)	
Partner's address	
Partner's National Insurance number (State 'none' if no number is held)	
Child's expected date of 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 ShPL)	
SECTION B: Maternity entitlement details (all answers that apply must be completed)	
Date mother started (or intends to start) statutory maternity leave	
Date mother's statutory maternity leave ended (or will end)	
Total number of weeks of statutory maternity leave that will have been taken at the date that statutory maternity leave ends	
Date mother started (or intends to start) SMP or MA	
Date mother's SMP or MA ended (or will end)	
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 (i.e. 39 weeks minus total number of weeks SMP or MA has been paid or will have been paid at date of curtailment)	

SECTION C: Amount of ShPL available (must be completed)

Total number of weeks of ShPL created (52 weeks less total number of maternity weeks taken and any ShPL from a previous notice and revocation)	
--	--

Total number of weeks of ShPL I (the mother) intend to take	
---	--

Total number of weeks of ShPL my partner intends to take	
--	--

SECTION D: Indication of Mother's leave intentions (must be completed but is not binding)

I (the mother) currently expect to take ShPL as follows:

Note: It will usually be helpful to answer this in a "From... To..." format

SECTION E: Amount of ShPP available (only complete 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) intend to take:	
--	--

Total number of weeks of ShPP my partner intends to take:	
---	--

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

Note: It will usually be helpful to answer this in a "From... To..." format

SECTION F: Mother's declaration (must be completed)

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

- I am giving notice that I am entitled to and intend to take ShPL
- 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 ShPL 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 ShPL
- 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 ShPL

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 eight 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 ShPL in those weeks (if entitled to ShPL)
- 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	
---------------------	--

Date mother 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's spouse, the mother's civil partner and/or the mother'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)
- 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 be) paid at least the lower earnings limit in 13 weeks of the 66 weeks before the expected week of childbirth
- I consent to the amount of ShPL which the mother intends to take, as set out in Section D above.
- I consent to the mother's employer processing the information I have provided
- I consent to the amount of ShPP which the mother intends to take, as set out in Section E above.
- The information provided in this declaration is accurate

Signature of partner	
----------------------	--

Date partner signed	
---------------------	--

Form 3: Notice confirming that Partner is taking ShPL but Mother is not (for Mother's Employer)



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

Form 4: Notification of Partner's intention to take ShPL (for Partner's Employer)



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SECTION A: General (must be completed)	
Please accept this as notification that I (the mother's partner) am entitled to and intend to take ShPL (and ShPP if section C is completed).	
Partner's surname	
Partner's first name(s)	
Mother's surname	
Mother's first name(s)	
Mother's address	
Mother's National Insurance number (State 'none' if no number is held)	
Child's expected date of 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 ShPL)	
SECTION B: Maternity entitlement details (all answers that apply must be completed)	
Date mother started (or intends to start) maternity leave (if applicable)	
Date mother's maternity leave ended (or will end) (if applicable)	
Total number of weeks of maternity leave taken (or that will be taken) when maternity leave ends	
Date mother started (or intends to start) SMP or MA (if applicable)	
Date mother's SMP or MA ended (or will end) (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 by which SMP or MA will be reduced (i.e. 39 weeks minus total number of weeks SMP or MA has been paid or will have been paid at date of curtailment)	
SECTION C: Amount of ShPL available (must be completed)	
The total number of weeks of ShPL created depends on the mothers leave and pay entitlements:	
<ul style="list-style-type: none"> If the mother was/is entitled to maternity leave and SMP/MA, the total created will be 52 weeks less any weeks maternity leave taken 	

<ul style="list-style-type: none"> • If the mother 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 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 previously revoked her curtailment notice any ShPL that was taken by the partner must be deducted 	
Total number of weeks of ShPL created (50 max)	
Total number of weeks of ShPL I (the partner) intend to take	
Total number of weeks of ShPL the mother intends to take (if applicable)	
SECTION D: Indication of Partner's leave intentions (must be completed but is not binding)	
I (the partner) currently expect to take ShPL as follows:	
<p>Note: It will usually be helpful to answer this in a "From... To..." format</p>	
SECTION E: Amount of ShPP available (only complete 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 mother intends to take:	
I (the partner) currently expect to take ShPP as follows:	
<p>Note: It will usually be helpful to answer this in a "From... To..." format</p>	
SECTION F: Partner's declaration (must be completed)	
<p>The following points apply in all circumstances:</p> <ul style="list-style-type: none"> • I am giving notice that I am entitled to and intend to take ShPL • I am the father of the child, or at the time of the birth I was (or will be) the mother's spouse, the mother's civil partner and/or the mother's partner living with her 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 ShPL that I intend to take • I had (or will have) the main responsibility for the care of our child at the time of the child's birth (along with the child's mother 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's employer or a declaration that she does 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 her notice to curtail her maternity leave or SMP/maternity allowance period
- The information provided in this declaration is accurate and meets the notification requirements for ShPL

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 ShPL in those weeks (if entitled to ShPL)
- 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'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 be) paid at least the lower earnings limit 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 ShPL 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 ShPL

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 of mother

Date mother signed

Form 5: Period of Leave Notice (booking a period of ShPL)



Ribble Valley
Borough Council

www.ribblevalley.gov.uk

Before completing this form please refer to the Shared Parental Leave Policy which explains how we will deal with your Period of leave notice once submitted. This will depend on the pattern of leave requested - continuous or discontinuous.

You must submit a signed Period of Leave Notice to Human Resources at least eight weeks before the start of any period of Shared Parental Leave (ShPL). Please use a separate form for each period of ShPL. You may submit up to three Period of Leave Notices. Leave must be in complete weeks but may start on any day of the week.

Note: In order to submit a Period of Leave Notice, you must have submitted a signed Form 2 or 4 (notification of Intention to take ShPL).

Name:

I am requesting a *continuous* period of ShPL

ShPL

ShPL start date	ShPL end date	Number of weeks of ShPL

ShPP (if applicable)

ShPP start date	ShPP end date	Number of weeks of ShPP

Or I am requesting a *discontinuous* pattern of ShPL, as below

ShPL start dates	ShPL end dates	Number of weeks of ShPL

ShPP (if applicable)

ShPP start dates	ShPP end dates	Number of weeks of ShPP

Signature:	<input style="width: 763px; height: 25px;" type="text"/>
Date:	<input style="width: 763px; height: 25px;" type="text"/>