



SPARKEN HILL
ACADEMY

SHARED PARENTAL LEAVE POLICY

ADOPTED: SEPTEMBER 2021
REVIEWED: JUNE 2025
NEXT REVIEW DATE: JUNE 2027

SPARKEN HILL ACADEMY
SPARKEN HILL
WORKSOP
NOTTS
S80 1AW

SHARED PARENTAL LEAVE POLICY

The governing board of Sparken Hill Academy shall apply the statutory provisions for shared parental leave (SPL). If eligible, shared parental pay (ShPP) would apply at the same rate as for statutory maternity pay (SMP). The governing board is committed to ensuring it meets its obligations of equality, diversity and non-discrimination in respect of shared parental leave.

This policy should be read in conjunction with the academy's policies on maternity leave, adoption leave guidelines and paternity leave. It outlines the rights and responsibilities of employees who wish to take shared parental leave following the birth, adoption or surrogacy of a child.

Shared parental leave is designed to give parents flexibility in how to share the care of their child in the first year following birth, adoption or surrogacy. Parents have the option of taking time off work at the same time and/or taking it in turns to take periods of leave to look after the child.

Terms

Expected week of childbirth (EWC): the week, beginning on a Sunday, in which the health professional (a doctor or midwife) expects the child to be born.

Parent(s): one of two people who will share the main responsibility for the child's upbringing (and who may be either the mother, the father, or the mother's partner if not the father).

Partner: your spouse, civil partner or someone living with you in an enduring family relationship at the time the child is born or placed with you for adoption, but not your sibling, child, parent, grandparent, grandchild, aunt, uncle, niece or nephew.

Parental order: a court order under section 54 of the Human Fertilisation and Embryology Act 2008, giving you and your partner parental responsibility for a child born to a surrogate.

Qualifying week: in birth cases it is the 15th week before the EWC. In a UK adoption case, the week the adoption agency notifies you that you have been matched with a child for adoption; in an overseas adoption case, the week that you receive your official notification. In a surrogacy case, the 15th week before the expected week of childbirth (EWC).

Eligibility (birth parents)

Employees who meet the criteria set out below are entitled to take shared parental leave and pay in relation to each child they are responsible for.

You are entitled to take a period of shared parental leave in relation to a child, if:

- You are the child's mother (or expectant mother), and share the main responsibility for the care of the child with the child's father (or your partner, if the father is not your partner).
- You are the child's father and share the main responsibility for the care of the child with the child's mother.
- You are the mother's partner and share the main responsibility for the care of the child with the mother (where the child's father does not share the main responsibility with the mother).

The following conditions must also be fulfilled:

- You must have at least 26 weeks continuous employment at the end of the 15th week before the expected week of childbirth, and still be employed in the week before the leave is to be taken.
- The other parent must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the 15th week before the expected week of childbirth and had average weekly earnings of at least £30 during 13 of those weeks.
- You and the other parent must give the necessary statutory notices and declarations as summarised below, including notice to end any maternity leave, statutory maternity pay (SMP) or maternity allowance (MA) periods.
- If you are the child's mother, you cannot start SPL until you have taken your statutory two weeks maternity leave. If you are the child's father or the mother's partner, you should consider using your two weeks' paternity leave before taking shared parental leave. Once you start shared parental leave you will lose any untaken paternity leave entitlement. Shared parental leave entitlement is additional to paternity leave entitlement.
- Both parents must meet the eligibility criteria for shared parental leave and pay.

Eligibility (adoption and surrogacy cases)

In adoption and surrogacy cases, you may be eligible for SPL if you meet the following criteria:

- A UK adoption agency places a child with you and/or your partner for adoption, or
- A child in local authority care is placed with you and/or your partner as foster parents under a fostering for adoption or concurrent planning scheme, or
- You adopt a child from overseas with UK government approval; or
- You have a child with a surrogate mother and the court has made or is expected to make a parental order to you.

You and your partner must intend to share the main responsibility for the care of the child.

You must also meet the following criteria (as appropriate):

- You must have at least 26 weeks continuous employment with us by the end of the qualifying week, and still be employed by us in the week before the leave is due to be taken.
- Your partner must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the qualifying week (or in a surrogacy case, the EWC) and had average weekly earnings of at least £30 during 13 of those weeks.
- Either you or your partner must qualify for statutory adoption leave and/or statutory adoption pay (SAP) and must take at least two weeks of adoption leave and/or SAP (as appropriate).
- You and your partner must give the necessary statutory notices and declarations as detailed below, including notice to end any adoption leave or SAP.

- If your partner is taking adoption leave and/or claiming SAP, you may be entitled to two weeks' paternity leave and pay (see our paternity leave policy). You should consider using this before taking SPL. Paternity leave is additional to any SPL entitlement you may have, but you will lose any untaken paternity leave entitlement once you start a period of SPL.
- The total amount of SPL available is 52 weeks, less the weeks of adoption leave taken by either you or your partner (or the weeks in which your partner has been in receipt of statutory adoption pay if they were not entitled to adoption leave).

Both parents must be eligible for SPL.

Notice requirements

To book a period of shared parental leave you must complete and provide to your line manager the following written notices:

- Notice 1 – **notice of intention** to take shared parental leave at least eight weeks before the start of the shared parental leave to be taken.
- Notice 2 – **booking notice** providing details of the start and end dates of each period of shared parental leave you wish to take at least eight weeks before the start date of parental leave to be taken.

Notice 1 – notifying the academy of the intention to take shared parental leave

The employee shall be required to satisfy the governing board as to their entitlement to shared parental leave, as identified in the above paragraphs, and they must give at least the required statutory notice. This notice of intention must be given in writing at least eight weeks in advance of the period of shared parental leave requested. The employee must complete the pro forma eligibility form (SPL notice 1 – notice of intention) providing the following details:

- Their partner's name and/or work address and their employer.
- The start and end dates of any period of statutory maternity leave taken or to be taken by the mother.
- The start and end dates of any adoption leave.
- If you are not taking adoption leave but your partner is, the start and end dates of their adoption leave. If you partner is not eligible for adoption leave, the start and end dates of their statutory adoption pay.
- In adoption cases, employees must provide evidence of the adoption, such as the notification from the adoption agency of a match, a matching certificate from the adoption agency. This certificate confirms the adopter has been matched with a child for adoption. If the child has not been placed with you, notify the actual date of the placement as soon as possible.
- In overseas adoption cases, the date you received the official notice of the adoption, the date the child entered the UK. If they have not entered the UK yet, notify the expected date of entry as soon as possible.

- Employees must provide evidence of the EWC, the surrogacy arrangement and their intention to apply for a parental order or a copy of it if already made. This can be in the form of a written declaration or any other relevant documentation.
- The total amount of shared parental leave available (taking into account any maternity leave, adoption leave or paternity leave already taken).
- In all cases the expected week of childbirth or date on which the child was born.
- How much shared parental leave both the employee and their partner intend to take. You should indicate the allocation of this to you and your partner. It does not all have to be taken at once because a further notification can be provided to address additional or further allocations.
- An indication as to the start and end date for each period of leave the employee intends to take.

The employee may provide notice to vary any notice of intention with regards to shared parental leave. There is no limit on the number of times an employee may vary their notice of intention to take parental leave.

A notice by a mother or parent to end her maternity leave or adoption leave (a curtailment notice) is usually binding and is unable to be revoked. A mother or adoptive parent is only entitled to revoke her curtailment of maternity leave if one of the following applies:

- If the employee realises that they or their partner is not in fact eligible for shared parental leave or shared parental pay, the employee can revoke the curtailment of maternity leave or adoption leave in writing up to eight weeks after it was given.
- If the employee gave curtailment notice before birth, they can revoke it in writing up to eight weeks after it was given, or up to six weeks after birth, whichever is later.
- If the other parent has died.

Notice 2 – Notifying the academy of periods of parental leave

The employee must complete the pro forma form (SPL notice 2 – booking notice) setting out the start date and end dates of each period of shared parental leave requested. This notice can be provided at the same time as notice 1 but must be provided at least eight weeks before the start date of the period of shared parental leave to be taken.

The notice must specify whether the employee wishes to take shared parental leave in one continuous period or discontinuous periods. Discontinuous periods may be refused by us. If a period of discontinuous leave is refused, the employee will be entitled to take the full amount of shared parental leave requested as one continuous block, starting on the start date given in the notice.

The employee will receive confirmation of whether any discontinuous period of leave is refused within 14 days of receipt of notice 2 being provided by the employee. As well as refusal, the employer has the option to suggest alternative dates for the periods of shared parental leave.

The employee can give up to three booking notices, unless additional notices are expressly agreed by us. This may enable an employee to take up to three separate blocks of shared parental leave. A withdrawal of a refused discontinuous block will be discounted for these purposes.

Changing/cancelling/ending your shared parental leave

The employee can cancel a period of leave providing notice is given in writing at least eight weeks before the start date of the period of leave.

The employee can also change a period of leave by giving at least eight weeks' notice before the original start date and the new start date.

A notice to cancel or change a period of leave counts towards one of the employee's three period of leave notices, unless:

- The variation is as a result of the child being born earlier or later than the expected week of birth.
- The variation is at the academy's request.
- The academy agrees otherwise.

If an employee wishes to end a period of shared parental leave early, they must give eight weeks prior written notice of the return date.

Keeping in touch

The employee may be asked to work (including attending training) on up to 20 shared parental leave keeping in touch days (SPLIT days) during their period of shared parental leave. This is in addition to any KIT days that the employee may have taken during maternity leave. SPLIT days are not compulsory and must be discussed and agreed with the employee. Taking a SPLIT day will not curtail the entitlement to SPL.

An employee will be paid at their normal basic rate of pay for time spent working on a SPLIT day and this will be inclusive of any shared parental pay entitlement.

Conditions

- The employee must, where requested, provide the academy with a copy of the birth certificate, (or the date of the birth if not issued) and the name and address of their partner's employer within 14 days of the request being made.
- Any period of parental leave or pay must be taken between the date of birth and the child's first birthday (or within one year of adoption).
- The earliest start date for any shared parental leave will be two weeks after the child's birth (with the exception of adoption). The maximum amount of shared parental leave available is 50 weeks.
- The partner is entitled to take shared parental leave immediately following the birth/placement of the child. The mother must have given notice to curtail her maternity leave, or adoptive parent must have given notice to curtail their adoption leave, although the partner can take leave while the mother is still using their maternity/adoption entitlements.
- Shared parental pay (ShPP) will be paid up to 39 weeks in total at the same rate as statutory maternity pay. A calculator for the purpose of calculating recovery of statutory paternity pay is available on the HMRC website.

- Periods of parental leave must usually be taken in complete weeks. The minimum period of parental leave is usually one week.
- For the duration of the shared parental leave, the employee's normal terms and conditions, with the exception of pay, will apply.
- The employee shall be entitled to return to their job following shared parental leave on the same conditions as if they had not been absent.
- The employee holds similar rights to mothers on returning from maternity leave, including the right to return to the same job, and the right to be offered suitable available vacancies where a redundancy situation has occurred during the period of shared parental leave. It may not always be possible for staff to return to the same role where there has been organisational change. We will adhere to our redundancy and reorganisation procedures in such circumstances.
- Any employee unable to return to work after shared parental leave due to illness should follow the academy's normal sickness procedures.

Confidentiality and data protection

By providing information and notices in accordance with the above policy, we recognise that we will be processing information under the Data Protection laws. We will do so in accordance with those laws and for the purposes of considering your application and facilitating your entitlement to SPL and pay. Such information may be shared with appropriate personnel internally to facilitate these arrangements, our HR provider and or legal advisors as well as third party payroll or the LA. For further information, please see the employee privacy notice.

Changes to circumstances

Should there be a change in circumstances, either in relation to the employee's responsibilities for the child, or in relation to their relationship with the mother, the employee should notify the academy in writing as soon as possible. This would also apply should there be a change to the statutory entitlements of the mother.

Neonatal care leave and pay

The statutory right to neonatal care leave and pay came into effect from 6 April 2025. This provides eligible parents with time off from work to care for their newborn baby who requires extended hospital care.

Neonatal care leave will be available to parents of babies who are admitted into neonatal care up to 28 days old and who have a continuous stay in hospital of seven full days or longer. Eligible parents are entitled to one week of neonatal care leave for each qualifying week their child spends in neonatal care, up to a maximum of 12 weeks. This leave is on top of any other leave they are entitled to, including maternity, adoption and paternity leave.

Employees may also be eligible for neonatal care pay if they have a minimum of 26 weeks continuous service and earnings that meet the lower earnings limit.

Please see the neonatal care leave and pay policy for further details.

NOTICE 1 – NOTICE OF INTENTION TO TAKE SHARED PARENTAL LEAVE

Please complete either Part A or Part B.

Part A – Mother/primary adopter declaration

Please accept this as notification that I (the mother/primary adopter) am entitled to and intend to take SPL (and ShPP if section B is completed)									
Employee's name									
Partner's name									
Partner's address (if different to mother's/ primary adopter's)									
The expected week of childbirth (or date of placement in the case of adoption) or date on which the child was born (or placed in the case of adoption)									
Start and end dates of any maternity/adoption leave already taken or to be taken before start of SPL									
Total amount of shared parental leave available to be taken (maximum 50 weeks)									
Number of weeks shared parental leave you intend to take, including an indication of start and end date and whether you intend to take a continuous or discontinuous period of leave. <table border="1"><thead><tr><th>No of weeks</th><th>Proposed dates</th></tr></thead><tbody><tr><td colspan="2">Period 1</td></tr><tr><td colspan="2">Period 2 (if applicable)</td></tr><tr><td colspan="2">Period 3 (if applicable)</td></tr></tbody></table>		No of weeks	Proposed dates	Period 1		Period 2 (if applicable)		Period 3 (if applicable)	
No of weeks	Proposed dates								
Period 1									
Period 2 (if applicable)									
Period 3 (if applicable)									
Number of weeks shared parental leave your partner intends to take, including an indication of start and end date <table border="1"><thead><tr><th>No of weeks</th><th>Proposed dates</th></tr></thead><tbody><tr><td colspan="2">Period 1</td></tr><tr><td colspan="2">Period 2 (if applicable)</td></tr><tr><td colspan="2">Period 3 (if applicable)</td></tr></tbody></table>		No of weeks	Proposed dates	Period 1		Period 2 (if applicable)		Period 3 (if applicable)	
No of weeks	Proposed dates								
Period 1									
Period 2 (if applicable)									
Period 3 (if applicable)									

I confirm I have read and understand the terms of shared parental leave as contained within the academy's shared parental leave policy.

I am the child's mother/primary adopter and I am eligible to take shared parental leave.

I agree to end my entitlement to maternity/adoption leave, maternity/adoption pay or allowance in order to take shared parental leave.

(Birth only) If requested, I confirm I will provide the academy with a copy of my child's birth certificate (or in the absence of a certificate a signed declaration of the date and location of the child's birth) and the name and address of my partner's employer within 14 days of the request.

(Adoption only) If requested, I confirm I will provide the academy with the name and address of the adoption agency, the date the child was notified of having been matched, or expects to be matched, and the name and address of my partner's employer within 14 days of the request.

I confirm I will immediately notify the academy if I cease to care for the child.

I confirm my intention to take shared parental leave with my partner and that the information provided above is accurate.

Signed

.....

Name of employee

Date

.....

(This section must also be completed and signed by the partner/secondary carer of the child)

Name

.....

Address

.....

National insurance number (if applicable)

.....

Employer's name and address or business address if self-employed

.....

I confirm I am eligible to take shared parental leave and that I am the father of the child, the person who is married to, or the civil partner or the partner of the mother/primary carer of the child. I confirm I will immediately inform my partner should this change.

I consent to the amount of shared parental leave my partner intends to take.

I consent to the academy processing the above information I have provided.

Signed

.....

Name

Date

.....

PART B – Partner/secondary carer declaration

Employee's name								
Partner's name								
The expected week of childbirth (or date of placement in the case of adoption) or date on which the child was born (or placed in the case of adoption)								
Start and end dates of any maternity/adoption leave and maternity/adoption pay or maternity allowance already taken by the mother/primary carer								
Total amount of shared parental leave available to be taken (maximum 50 weeks)								
Number of weeks shared parental leave you intend to take, including an indication of start and end date and whether you intend to take a continuous or discontinuous period of leave								
<table><thead><tr><th>No of weeks</th><th>Proposed dates</th></tr></thead><tbody><tr><td>Period 1</td><td></td></tr><tr><td>Period 2 (if applicable)</td><td></td></tr><tr><td>Period 3 (if applicable)</td><td></td></tr></tbody></table>	No of weeks	Proposed dates	Period 1		Period 2 (if applicable)		Period 3 (if applicable)	
No of weeks	Proposed dates							
Period 1								
Period 2 (if applicable)								
Period 3 (if applicable)								
Number of weeks shared parental leave your partner intends to take, including an indication of start and end date								
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No of weeks	Proposed dates							
Period 1								
Period 2 (if applicable)								
Period 3 (if applicable)								

I confirm I have read and understand the terms of shared parental leave as contained within the academy's shared parental leave policy.

I confirm that I am eligible to take shared parental leave.

I confirm that I am the father of the child, the person who is married to, or the civil partner or the partner of the mother/primary carer of the child.

As the father/secondary carer of the child, I accept and understand that I will lose any entitlement to paternity leave once I have started taking shared parental leave (delete as appropriate).

I confirm I will immediately notify the academy if I cease to care for the child or if the mother/primary carer of the child elects to return to maternity leave or is in receipt of maternity pay or allowance.

I confirm my intention to take shared parental leave with my partner and that the information provided above is accurate.

Signed

.....

Name of employee

Date

.....

(This section must also be completed and signed by the mother/primary carer of the child)

Name

.....

Address

.....

National insurance number (if applicable)

.....

Employer's name and address or business address if self-employed

.....

I confirm I am eligible to take shared parental leave and have the main responsibility for the care of the child. I confirm I will immediately inform my partner should this change.

I confirm I am entitled to maternity/adoption leave, maternity/adoption pay or allowance and intend to end such rights in order to take shared parental leave. I confirm I will immediately inform my partner should this change.

I consent to the amount of shared parental leave my partner intends to take.

I consent to the academy processing the above information I have provided.

Signed

.....

Name

Date

.....

NOTICE 2 – BOOKING NOTICE FOR SHARED PARENTAL LEAVE – MOTHER (MATERNITY)

To be completed by employee

Please accept this as my notice to curtail my maternity leave and/or SMP. This form accompanies my notification that either myself or my partner intend to take SPL and/or ShPP. I understand that my maternity leave and my SMP will end on the date below. I also understand that I can only
--

reinstate my maternity leave and SMP if I revoke this notice before the curtailment date given below.

Name

Post/Job title

Department (if applicable)

Start date of employment

National insurance number

Expected/actual date of birth (insert date from MATB 1)

Date maternity leave was started if applicable

Date maternity pay will end

Total number of maternity weeks taken at date of curtailment

Total number of weeks SMP or MA has been paid or will be paid at date of curtailment

Total number of weeks by which SMP or MA will be reduced (ie 39 weeks minus total number of weeks SMP or MA has been paid on date of curtailment)

Partner's name

Partner's NI number

Partner's address (if different from your address)

Name and address of partner's employer

Dates of proposed shared parental leave:

Block 1: To be taken by

Start date

End date

Block 2: To be taken by

Start date

End date

Block 3: To be taken by

Start date

End date

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

Total number of weeks of SPL my partner intends to take

I confirm that:

- 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.
- My partner has, 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. (If both partners are taking SPL.)
- 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).
- 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.
- I (or my partner) have given a period of SPL notice.
- The information provided in this declaration is accurate and meets the notification requirements for SPL.

I confirm that also:

- 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 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.

Signed:

Date:

Please note that the submission of deliberately misleading or factually incorrect information may lead to disciplinary action being taken.

Signed by employee:

Date:

Agreed by principal:

Date:

I understand that I am entitled to change or cancel the above dates up to a maximum of three times, but must give eight weeks' notice unless otherwise agreed by my employer.

Notice to change/cancel

I wish to change/cancel the dates of my agreed shared parental leave.

Details of changes to be made:

.....

Signed by employee:

Date:

Signed by principal:.....

Date:

Notice to change/cancel

I wish to change/cancel the dates of my agreed shared parental leave.

Details of changes to be made:

.....

Signed by employee:

Date:

Signed by principal.....

Date:

Notice to change/cancel

I wish to change/cancel the dates of my agreed shared parental leave.

Details of changes to be made:

.....

Signed by employee:

Date:

Signed by principal.....

Date:.....